

Law Enforcement News

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As bullets fly, info doesn't FBI, ATF ammo-tracing systems can't interact

After three years of research, officials from the National Institute of Standards and Technology (NIST) believe that by the end of the year they will have nailed the problem of reconciling two competing and incompatible bullet-tracing systems, one developed by the FBI and the other by the Bureau of Alcohol, Tobacco and Firearms. Still, no one is making any promises.

NIST was brought in as a neutral third party in 1996 by lawmakers and others who realized that millions of dollars were being spent on two programs that worked along parallel lines — the FBI's Drugfire system, and ATF's Integrated Ballistics Identification System (IBIS). The NIST was asked to develop a standard for interoperability so that they could share information. What was quickly determined was that there was no way to write such a standard.

The problem lies in the fundamentally different lighting systems used by the programs to image cartridges and bullets, said Bruce Field, acting associate director of NIST. The Drugfire system illuminates the image from the side, tending to make fairly high shadows and valleys of the scratches that distinguish one cartridge casing from another. It is based on the type of lighting that firearms examiners use while looking through a microscope because it accentuates those markings, he told Law Enforcement News.

IBIS, on the other hand, uses a ring light that shines down uniformly on the cartridge casing. It is designed more for computer imaging, rather than for the human eye.

As a result, the systems give completely different images that cannot be modified electronically, said Field. Working hand-in-hand with that obstacle is the fact that the proprietary software each agency uses is extraordinarily dependent on the type of lighting used. Even if one agency were willing to change its lighting source, it would mean rewriting all of a system's software.

Ballistic information exchange proves a one-way street for the Feds.

"If you imaged a cartridge case on the Drugfire system, you couldn't correlate it against the database on the IBIS system," Field told LEN. "So what we proposed to do was develop a mechanism by which each system could produce images in the alternative format."

"For example, if you were a Drugfire user, you could take your Drugfire system and acquire IBIS-style images, ship them over to the IBIS system electronically, correlate them with the IBIS system, and have that information returned to you on your [Drugfire] system. That was the solution we wrote in 1996."

But after numerous modifications and rounds of testing, researchers have yet to achieve the optimum level of data exchange, he said. Field said the agency is "very close" and will push for a solution by the end of this year or the beginning of 2000.

"Interoperability is a two-way street," said Field, noting that each system should be able to read and run images generated by the other. So far, he said, "we have achieved operability one way, but still have the other half to complete."

In the meantime, police departments are left with the option of either having the two systems side-by-side, as is done in Boston, Washington, D.C., and Prince George's County, Md., or shipping evidence to another crime lab with the competing system. "It is not a good solution," Field said bluntly.

More than \$40 million was spent by the FBI and ATF to create the two systems during the early 1990s. It had become apparent that, much the same as with fingerprint analyses, digitized images of bullets and shell casings could be created, stored and analyzed using a computerized system. Thus, firearms examiners could quickly scan databases for possible matches instead of carrying out the time-consuming task of linking the same gun to different crimes by using a microscope to examine the markings on shells found at the scene of one crime with those found at the scene of another.

The FBI contracted with a Washington-area
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Study sees cause for alarm as police adopt a more paramilitary posture

Civil liberties, constitutional norms and the well-being of citizens are being threatened by the increasingly militaristic mindset of local and state law enforcement agencies, spurred by the nation's war on drugs and the proliferation of SWAT teams, according to a provocative new study by the Cato Institute.

Released at the same time that the Justice Department reopened the inquiry into the 1993 assault on the

Branch Davidian compound in Waco, Tex. [see related story, Page 9], the study, "Warrior Cops, the Ominous Growth of Paramilitarism in American Police Departments," found that with the encouragement of Congress, the military's role in law enforcement activities has expanded dramatically over the past two decades. State and local police officers are being supplied with intelligence, equipment and training, spawning a culture of paramilitarism,

it said.

What is troubling about this turn of events, wrote researcher Diane Cecilia Weber, is that the actions and values of police and those of soldiers are distinctly different.

"The job of a police officer is to keep the peace, but not by just any means. Police officers are expected to apprehend suspected lawbreakers while adhering to constitutional procedures," she said. Law enforcement is expected

to use a minimum of force, while soldiers are trained to inflict maximum damage. "Confusing the police function with the military function can have dangerous consequences."

According to Weber's study, the dilution of the Posse Comitatus Act by Congress in 1981 in order to expand the role of the military in fighting the drug war has led to a basic presumption on the part of lawmakers of a close tie between the military and civilian law enforcement.

In 1986, the study notes, President Ronald Reagan issued a National Decision Security Directive which designated illicit drugs a threat to national security, fostering a closer relationship between civilian law enforcement and the military. The study also points to a number of events over the past 20 years — Waco among them — which indicate the incremental shifts the Government has made toward reliance on the military to carry out activities previously handled by police agencies.

In the 1990s, Indiana's National Guard engineering units were used to raze 42 crack houses in around the city of Gary. The National Guard has also been deployed to Washington, D.C., to drive out drug dealers from particular sites. United States Special Forces have been sent after drug dealers in foreign

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What kind of recruits does \$9 million buy?

After a spending more than \$9 million on a recruitment drive aimed at creating greater racial diversity on the force, the New York City Police Department achieved modest increases in the number of black, Hispanic and city-resident applicants, a partial victory hailed by NYPD officials but blasted by critics as too little, too late.

The number of applicants who signed up for the written exam administered on Oct. 2 did rise from the 14,202 recorded in 1998 to a total of 15,200 this year. But that figure is still far below the more than the 21,657 people who took the test in 1997, and even further from the record of nearly 32,000 who did so in 1996.

Police Commissioner Howard Safir dismissed critics who called the recruiting blitz a waste of money. "The whole idea of this campaign was to attract more city residents, which we did, and more people of color, which we have," he told The New York Times. "What I find more amazing about all of this is that with the negative press that the NYPD has experienced over the past year, in which the P.D. has been vilified by the press over and over again, it is even more of an indication of the success of the recruiting campaign."

The drive, which featured television, radio and newspaper ads, was launched in the weeks following the Amadou Diallo shooting on Feb. 4,

when critics took issue with the lack of minority representation on the predominantly white force. The NYPD is, in fact, the least racially diverse of any big-city department, with whites making up 67.4 percent of the force but only 43.4 percent of the city's population, according to department statistics and the 1990 census.

There are also fewer officers living in the city than there were a decade ago, with the proportion having dropped from 60 percent to 54 percent in that time. In the wake of the Diallo incident, there were renewed calls from legislators to make city residency a requirement of employment on the force.

The campaign, while aimed at

blacks and Hispanics, was broadened to include gays and lesbians as a means of beefing up the number of personnel who live within the five boroughs. Some 55,000 fliers and applications were sent out to gay city residents, using mailing lists from gay and lesbian organizations. The department also bought ads in local gay publications.

"What we want to do is make sure that the people who make up this department reflect the diversity of the city," Capt. Elton B. Mohammed, the head of the recruitment drive, told The New York Times. "That includes gays."

But critics note that the increase in city residents and minorities will only

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Around the Nation

Northeast



CONNECTICUT — Nancy Forty, 29, has pleaded guilty to murder and agreed to testify against a man said to have fired the fatal shot in the death of East Hartford Police Officer Brian Aselton. Officer Aselton, 26, was shot and killed Jan. 23 after a robbery at an apartment. Erica Vilchel, 23, pleaded guilty to first-degree burglary in the case. The other suspects, Alex Sostre, 23, and Jose Gonzalez, 46, have pleaded not guilty.

The Connecticut State Police Union staged a solidarity rally at the State Capitol on Sept. 27 to call attention to the fact that troopers have been working without a contract since June 30. The union filed for arbitration in early September, after nine months of negotiations yielded no progress. Police contend that Gov. John Rowland will not bring troopers' pay into parity with that of troopers in other states.

Windham County Sheriff Thomas White was arrested Sept. 13 on charges of conspiracy, racketeering, embezzlement, witness-tampering and hindering prosecution, following an 18-month investigation. A deputy was also arrested in the case.

DISTRICT OF COLUMBIA — New identification cards were issued to police reserve officers as they returned to the streets following a suspension of the unit after the Sept. 7 arrest of Harry Green, who reportedly assisted in arrests posing as a reserve officer. Chief Charles Ramsey had suspended the reserve officers as a security measure.

NEW JERSEY — Newark Mayor Sharpe James and Police Director Joseph J. Santiago announced the formation of the Newark Police Clergy Alliance on Sept. 30. The alliance will help provide local clergy with accurate information about the department, its operations, policies, procedures and police-related incidents. Officials said the faith-based partnership would foster the free exchange of information to help police refine and develop policies. Some 380 religious groups in Newark will be notified about the program.

About 1,400 supporters turned out for a Sept. 12 fund-raiser to assist troopers John Hogan, 29, and James Kenna, 28, who have been indicted in the controversial April 1998 shooting of three black and Hispanic men on the New Jersey Turnpike. The officers were scheduled to be arraigned Oct. 12 on attempted murder and aggravated assault charges.

Cranford Lieut. Russell Scott Wilde Sr., 33, fatally shot himself Sept. 19 after 36 straight hours of directing flood-recovery efforts related to Hurricane Floyd. Wilde, the son of Police Chief Harry Wilde, was known as a hero for his rescue efforts, and won the Carnegie Medal for Heroism in 1988.

NEW YORK — A grand jury began hearing testimony on Sept. 7 into the shooting of Gary Busch. Busch, a Brooklyn resident, had allegedly beaten a police officer with a hammer before officers shot him 12 times on Aug. 30. Busch reportedly had a history of men-

tal illness, and had told doctors at a psychiatric hospital that he could not control his own impulses toward violence.

Biological terrorism will be the subject of tests to be conducted at the Plum Island Animal Disease Center, which the U.S. Department of Agriculture wants to turn into a laboratory where the world's most dangerous diseases can be studied. The USDA is seeking \$140 million for the project, which would be based at the facility located one mile off the tip of Long Island. The Clinton Administration wants to help stop the spread of animal-borne diseases that could be used by bioterrorists to destroy American crops.

Trial began Sept. 7 for four New York police detectives accused in connection with the beating of Reginald Bannerman in 1997. The 36-year-old Brooklyn man was struck and killed by a subway train on Dec. 19 after police allegedly beat him outside of a restaurant where Bannerman had tried to quiet a group of disorderly NYPD detectives. Lloyd Barnaby, 38, Mark Cooper, 29, Orice Connor, 30, and Edward Howard, 31, are charged with assault and tampering with evidence.

New York City police Det. Thomas Reilly received the department's highest award, the Medal of Honor, on Sept. 14 for his actions in an undercover buy-and-bust operation in January 1998 in which Det. Sean Carrington was killed. Carrington and two others received the Medal of Honor posthumously. The others were Officer Gerard Carter, who died in a confrontation with a homicide suspect in July 1998, and Officer Anthony Mosomillo, who was shot by a suspected drug dealer in May 1998.

New York City police have come under fire for responding more slowly to 911 calls. Reports from both the Mayor's office and the City Council noted that the average time it took a police officer to respond to a 911 call reporting a crime in progress was 10.3 minutes in fiscal 1999, an increase of half a minute from the year before. Police said that the redeployment of manpower from a precinct-based system to specialized units that work on preventing crime could account for increase.

Mark John Christie, the Rochester man who is in prison for kidnapping and strangling 4-year-old Kali Ann Poulton in 1994, has dropped a request to change his name to Randy Alexander MacPherson, officials say, after 100,000 people signed informal petitions opposing the change. State Senator Richard A. Oellinger said he would propose a law to prevent violent felons from changing their names while in prison other than for religious reasons.

PENNSYLVANIA — Lack of money and time has put the state's DNA database seriously behind schedule, according to The Philadelphia Inquirer. A backlog of some 9,000 samples has yet to be tested. The database was intended to take samples from every murderer and rapist who left prison.

Mayor Tom Murphy's administration will hand out 5,000 trigger locks that were donated to the city by a foundation representing gun makers. Only registered gun owners will be able to obtain the locks, which will be available free at police stations.

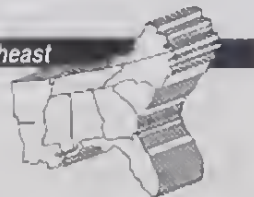
The Squirrel Hill police station in Pittsburgh was set to be reinforced with bulletproof glass and surveillance cameras, after being riddled with bullets on Aug. 27. Officer Stephen Mescan was hit in the foot but not seriously injured in the shooting. According to a bill introduced in the City Council on Sept. 14, safety measures would also be studied at the city's other police facilities.

Donald Eugene Webb has been on the FBI's most-wanted list longer than any one else in the list's 49-year history — since 1980, when he shot and killed Saxonburg Police Chief Gregory Adams during a traffic stop. Officials now believe Webb most likely is dead.

RHODE ISLAND — The family of Jose Nunez, 25, who was shot by police on Sept. 18, say that the shooting was improper. Police said Nunez punched a Providence police officer in the face before he was shot.

The state parole board has labeled Chester Kidd, a 38-year-old convicted child molester, as a sexually violent predator who is a threat to the community. It was the first time in the state that a convicted molester was classified as a Level 3 offender, requiring police to notify schools and neighborhood residents. Kidd's home was vandalized after nearby neighbors learned of the new classification.

Southeast



ARKANSAS — An informant for the Arkansas State Police testified on Sept. 10 that he was manipulated during his work on Operation Wholesale, an undercover operation that was concluded in March 1998. Roy Lee Russell, a 38-year-old convicted drug dealer, claimed that Trooper Clayton Richardson pocketed money from drug buys and threatened to kill him if he did not lie to authorities. Police say Russell was angry over having to pay taxes on the \$36,253 he was paid for his undercover work. The investigation resulted in 50 arrests, but so far Russell's actions have caused 15 cases to be dismissed. Richardson has denied any wrongdoing.

A man convicted in 1985 of raping a 17-year-old cheerleader was granted release Aug. 20 by the state parole board. Wayne Oumond made national headlines when he was castrated in his home, allegedly by masked attackers, while awaiting trial.

FLORIDA — Work details using some 3,500 prisoners from around the state have saved taxpayers more than \$28 million over the last year, according to the state Department of Corrections. The inmates have been working on roads, parks and buildings.

Under a bill filed by state Senator Kendrick Meek, the state would be barred from locking up 700 sexual predators in a former prison across the street from an elementary school in Chattahoochee. The bill would bar the state from housing sexual predators within five blocks of a school, playground or park.

A pipe bomb exploded in a building

where classes were held at the predominantly black Florida A&M University in Tallahassee on Sept. 23. It was the second blast in three weeks, following the Aug. 31 explosion of a device in the administration building. No one was injured in either blast. Security forces have been tripled on the campus, and a \$16,000 reward was promised for information about the crimes. Both bombs were set off in men's restrooms.

LOUISIANA — A fourth woman has identified New Orleans Police officer George Lee 3d as the man who raped her under the pretense of official police action. The 38-year-old woman said she was raped on March 28 by a man who was not in uniform but identified himself as an off-duty officer. She positively identified Lee, a six-year veteran who is currently in jail on two counts of aggravated rape and one count of forcible rape. The officer has allegedly been trolling the city's streets in an unmarked car and then raping women after driving them to darkened sections of town.

NORTH CAROLINA — Kenneth Powell turned himself in to police on Sept. 14 to face possible Federal charges of interstate domestic violence. Powell, who has a history of assaults, allegedly abducted his estranged wife, Kathryn Killian Powell, at gunpoint from Charlotte and drove to Clover, S.C., where he surrendered to police. The woman was released safely.

VIRGINIA — Bounties of up to \$10,000 have been offered by Gov. Jim Gilmore in an effort to stop major drug dealers. The Governor also proposed mandatory life sentences for drug kingpins and said he would like to hire 210 state troopers to be put exclusively on drug cases.

Kalvin and Kevin Hill, 28-year-old twins who have been described as white supremacist drug dealers, were sentenced to 12-year prison terms on Sept. 15, following their convictions on drug-related conspiracy charges. The brothers were charged with distributing more than 2,400 pounds of marijuana in the Richmond area since 1996. During the trial, Calvin apologized to the congregation of the Keneseth Beth Israel synagogue for an attempted act of vandalism on the church's property. A charge of inciting racial insurrection was dropped in exchange for the suspects' guilty pleas in June.

Midwest



ILLINOIS — In East Peoria, where white supremacist Matthew F. Hale operates the World Church of the Creator out of his parents' home, officials have launched a campaign against hate in the community. The campaign was initiated after World Church convert Benjamin Smith went on a two-state rampage against Jews, blacks, and others over the Fourth of July weekend that left two dead and nine wounded. City Attorney Dennis Triggs and Mayor Charles Dobbelaire formed a Human Relations Commission on Aug. 17 to combat hate and intolerance in the town.

The first day of Cook County's weap-

ons-for-cash program was reported to be a success by sheriff's police, bringing in 350 firearms that residents swapped for \$50 cash or \$75 gift certificates for local supermarkets and retailers. The "Safe Streets, Safe Schools 2000" campaign was launched Sept. 10 and carried out on Fridays and Saturdays at eight locations through Sept. 25.

The Illinois Wireless Information Network is expected to be up and running this fall, linking laptop computers in patrol cars and allowing police statewide to check pictures of missing children or file reports from their vehicles. Program users will incur a \$1,000 setup fee and operating charges of \$42.25 per month.

INDIANA — The New Albany Police Department and the Meilink Safe Co. have joined forces to help stop accidental shootings involving minors. On Aug. 19, the company gave a Winchester Handgun Lock Box to every officer on the town's force. An electronic keypad on the boxes allows immediate access in case of an emergency. The idea for the donation came after the son of a Louisville, Ky., officer accidentally shot himself with his father's gun.

KENTUCKY — A Sept. 10 chase in Oldham County ended when a robbery suspect, who had allegedly robbed a Jefferson County bank while disguised as a woman, pulled into an emergency lane and shot himself in the head. Police said the 55-year-old suspect, whose name was not immediately available, was from Indiana. The incident was the 16th bank robbery in the Jefferson County area this year, and the FBI said the crimes appeared to be committed by serial robbers.

Jefferson County police will be receiving 92 mobile data terminals that will allow them to send messages from one police cruiser to another. Eventually, the system will also allow transmission of mugshots, fingerprints and other information.

A man convicted of rape and sodomy was taken in by a Oanville couple after serving 20 years in jail, but his stay at the couple's home was cut short. Nate Sims, 52, had lost his job after papers revealed that he was a high-risk sex offender, and was invited to live with Mark and Tammy LaPalme, two born-again Christians. But Sims left suddenly after neighbors blanketed the town with flyers denouncing the sex offender, and camera crews showed up at the LaPalme residence.

Gov. Mel Patton ordered Warren County Commonwealth Attorney Steve Wilson to head a program that would determine how the courts and police deal with crimes of sexual violence. The task force will deliver recommendations to the Governor on Jan. 1. Policymakers are expected to examine how prosecutions of such crimes can be expedited.

MICHIGAN — A Detroit woman, Beatrice Epps, was in the intensive care unit of Wyandotte General Hospital on Sept. 15, after an 8-year-old boy she had taken in as foster child one day earlier stabbed her in the back with a butcher knife. Epps, 66, routinely provides short-term emergency foster care for kids who are taken from abusive parents. The 8-year-old was deemed too

young to prosecute, and was released to Children's Protective Services.

A Roseville burglar is suing the owner of a home he broke into over a beating. Cassidy L. VanHom, 21, broke into the home of Diana Folbigg in July 1997, a crime for which he spent 85 days in jail after pleading guilty. The day following the burglary, however, Folbigg learned of the burglar's identity and lured VanHom back to her house, where attackers broke both of his arms and his jaw. One of his attackers pleaded guilty to assault and battery.

Errors in Michigan's sex-offender registries are plaguing the system, according to the ACLU and others involved in a class-action suit that was thrown out of court by a Federal judge. Opponents of registries cite mistakes like the case of Viswanath Akella, who moved into an Ann Arbor home that continued to be listed on the sex-offender registry even though the former owner, a convicted sex offender, had sold the house. Because Akella's wife works with small children, the error snowballed into a serious problem. Critics of the Federally mandated registries charge that they have little practical effect, because the majority of sexual assaults are carried out by individuals who know their victims.

Three Port Huron students charged with plotting a massacre at the Holland Woods Middle School, have been released to 24-hour parental supervision, under a rule that limits pretrial confinement to 91 days. The boys, ages 13, 14 and 15, face a Nov. 16 trial date. The two older boys will stand trial as adults and could face life in prison.

OHIO — Drivers in the Cleveland suburb of Brooklyn who gab on their cell phones were issued tickets beginning Sept. 1 under a law believed to be the first of its kind in the country. The first day after the law took effect, six tickets had been issued, with fines ranging from \$3 for first-time offenders to \$100 for a second offense or if the driver is involved in an accident. The law prohibits using a cell phone while driving unless both hands are on the steering wheel. A 1997 study found that talking on a phone while driving was almost as dangerous as driving drunk.

Former Manchester police chief John E. Widdig was given two years probation on Sept. 13 after pleading guilty to mishandling \$5,750 from the legal 1994 sale of a surplus military truck. Widdig put the money in the private account of the Manchester Police Benevolent Association, not in the public village account. The 31-year-old Widdig also pleaded guilty to lying about police salaries in order to receive \$68,356 in grants.



IOWA — A deteriorating Waterloo neighborhood is the focus of a new Iowa National Guard initiative to fight drugs. More than 20 combat engineers have targeted 18 vacant houses known to be drug havens, and plan to demolish the houses with all-terrain end-loaders and an excavator.

Police and firefighters have been protesting a proposed city policy in Waterloo that would lay off any city employee deemed uninsurable by the city's liability insurance carrier. City officials said they are just targeting people who get in too many traffic accidents.

MINNESOTA — A false "Level 1" sex-offender warning was posted throughout a Maple Grove neighborhood on Aug. 21. The flier said a man who had recently moved to an address in the neighborhood was a sex offender, but police notified residents that the flier was a hoax. Sgt. Scott Smith said police were investigating the bogus warning. For a Level 1 offender, only the victims and witnesses who have requested notification, and those designated by the prosecuting attorney, are able to receive information about an offender's release.

MISSOURI — Kansas City drug pushers and prostitutes are using public telephones to conduct business, and the city wants to pull the plug on the public amenities. According to police, dealers prefer public phones to cell phones because they can better remain anonymous and the calls are harder for authorities to trace.

NEBRASKA — A Douglas County man who raped two women last fall was sentenced to 60 to 95 years in prison on Sept. 8. Kirkland Wise, 18, who pleaded no contest to the October rape of a 32-year-old woman and was also charged with raping a 31-year-old woman last September, had a criminal history including felony robbery. He reportedly showed no remorse over the crimes.

A loophole in the state's drunken driving law is allowing serial drunk drivers to keep their licenses, according to state Senator Curt Bromm. He wants to prevent situations like the one in which Bill A. Shanahan, 42, was sentenced to a year in jail and six months' license revocation for his first drunken driving offense, when in fact Shanahan had nine previous convictions in the past 22 years, including three in Nebraska alone. The problem was that many of those convictions were in different states and could not be used against him in Nebraska. In addition, the convictions within Nebraska could not be counted because Shanahan had not exhausted his appeals in those cases. Bromm is said to be drafting a proposal that would allow judges to count DWI convictions in other states against Nebraska motorists.

NORTH DAKOTA — Richland County marijuana plants are being mowed down with weed-eaters by members of the state National Guard. The wild plants are being destroyed in order to stop drug dealers from mixing the low-grade pot with their own higher-grade harvests.

State patrol Capt. John Graszl said more video cameras might be on the way to boost the number of cameras in patrol cars. Eight cars currently use the video units as part of a pilot program.

SOUTH DAKOTA — Racial tensions have flared since two Sioux men were found slain in a Pine Ridge culvert three months ago. The crime has not yet been solved. Indian activists have alleged that Nebraska lawmen helped cover up

the killings of Wilson Black Elk Jr. and Ronald Hard Heart, but the FBI and the Sheridan County sheriff's department deny any wrongdoing. Indians are also upset over police handling of another crime in which Robert Many Horses, 22, was found dead in a garbage can. Four white teen-agers who were drinking with him the night he died have been charged, but are free while they await trial. By contrast, three Indians accused of beating a white man near Pine Ridge in August have been denied bail.



ARIZONA — The 2000 ballot may feature propositions that would reduce penalties for marijuana possession, if Arizona's medical-marijuana backers have their way. Among the proposed measures under consideration is one that would reduce marijuana possession from a felony to a misdemeanor.

COLORADO — The FBI has reported that one of its agents, whose name was not immediately released, was killed along with a flight instructor working for Colorado Skyways, when their small aircraft crashed near the San Luis Valley last month.

The Colorado Bureau of Investigation has resumed its role as a safety checkpoint for unlawful sales of firearms. Some 143 sales to unqualified buyers were prevented by the program in its first month alone, state officials said. The program had lapsed when lawmakers said it duplicated the FBI's background checks, but pressure from citizens and lobbyists brought it back into operation.

A series of pre-dawn raids resulted in the arrest of 22 suspects and the confiscation of drugs, cash and weapons in Denver Sept. 23. Some 85 pounds of marijuana, 6 pounds of methamphetamine and small amounts of crack and cocaine were seized in the bust aimed at three drug rings.

Drunken-driving arrests over the Labor Day weekend soared to 631 in Colorado, according to law enforcement officials, after enforcement was beefed up over the three-day holiday. It was a 50-percent increase over 1998. The "Heat is On" weekend campaign was successful due to the participation of 77 law enforcement agencies this year, compared with 34 last year. There were five fatal traffic accidents during the period, three of which included drunken drivers.

NEW MEXICO — The Albuquerque Police Department is shutting down its non-emergency phone number, 242-COPS. Police said the popular number had to go when the department moved to a new dispatch center that is in a different telephone prefix than the former location. It would have been too costly to keep the old prefix — about \$10,000 per year, according to the department's communications manager, Rebecca Brown. The new number is 836-COPS.

An argument on Sept. 5 allegedly led an 8-year-old Zuni Pueblo boy to shoot and kill a 10-year-old playmate, the FBI

said. Daniel Lewis Duran was shot in the face with a 9mm. handgun and died instantly. The attacker's name was not released, and he had not yet been charged in the crime.

OKLAHOMA — Federal grants for school safety co-ops with law enforcement agencies have been awarded to the Broken Arrow and Union school districts — the only schools in the state to receive the funds. The \$200,000 grants from the Office of Community Oriented Policing Services will allow Broken Arrow to fund a crime-prevention specialist position, while Union will implement a drug-free youth program at the secondary level.

TEXAS — The Texas Commission on Law Enforcement Officer Standards and Education has revoked the license of Kevin McCuiston, a former Arlington patrol officer convicted of sexually assaulting three teen-age boys. McCuiston, who resigned from the force in 1991, was convicted of two counts of sexual assault and one count of indecency-fondling. He is currently serving three concurrent eight-year sentences in a state prison.

A gunman fatally shot at least seven people before killing himself when he opened fire inside the Wedgewood Baptist Church in Fort Worth on Sept. 15. In the aftermath of the shootings, Gov. George Bush on Sept. 21 announced a two-year, \$1.6 million program to boost prosecution of gun-related crimes in the state. Eight prosecutors will be added to help local and Federal prosecutors make sure that crimes involving firearms are fully punished.

Twenty-five years after Charles Whitman shot and killed 16 people from the observation deck of the University of Texas Tower, the deck was reopened to the public by UT Austin President Larry Faulkner. The tower now has a stainless steel lattice to thwart suicide jumpers, and a metal detector and extra guards to prevent attacks such as Whitman's 1966 rampage, in which he lugged a rifle and a footlocker full of ammunition to the top of the tower and began shooting.



CALIFORNIA — The Ninth Circuit Court of Appeals ruled that a judge improperly granted the Clinton Administration's request to shut down the state's medical marijuana clubs. The appellate court urged that the Oakland Cannabis Buyers' Cooperative should still be allowed to distribute pot to those who prove that cannabis is a medical necessity.

San Francisco authorities have stopped a jailhouse course that allegedly taught inmates how to thwart police investigations and avoid arrest. The class was produced by the Sheriff's Department's Prisoner Legal Services Division, and offered tips on how to avoid being manipulated by "good cop, bad cop" interrogations and how to prevent police with search warrants from entering one's home. The course's teacher, Katya Komisaruk, said she had wanted

to "level the playing field a little."

The West Anaheim Medical Center was riddled with bullets on Sept. 14 after Dung Trinh, 42, walked into the building and killed three employees before being subdued by workers. Trinh was reportedly upset over the death of his mother at a different hospital earlier that day.

A Field Poll has reported that almost two out of three Californians want stricter gun control, despite concerns about the rights of individuals to own guns.

Former Los Angeles police officer David Anthony Lorenzo Mack, 37, was sentenced Sept. 13 to 14 years in prison for a 1997 bank robbery. Mack had used an assault weapon when he robbed a Bank of America branch in Los Angeles, entering the vault with the aid of a bank employee and fleeing with \$722,000 in cash. Co-defendant Errolyn Romero, 26, pleaded guilty to conspiracy for telling Mack when a large cash delivery was to take place.

The Medal of Valor was awarded Sept. 15 to 18 Los Angeles police officers, including Rex Yap, 29, who was shot in the face by a gang member in 1997. The bullet, which struck the windshield of the officer's unmarked car, went into his nasal cavity and ended up in his mouth. The officer spit the bullet out. James Edwards, Yap's 33-year-old partner, also won the Medal of Valor for returning fire and carrying Yap to safety.

IDAHO — Drunken drivers in Nez Perce County must now attend a victim impact panel in addition to any fines and jail time that are imposed. The panels will force offenders to listen to stories of people affected by drunken drivers and watch videos that chronicle the impact of real accidents on people's lives.

NEVADA — Troopers around Reno are using unmarked cars equipped with video cameras in order to control road rage. The plan to put troopers incognito will hopefully help police stop aggressive drivers before their emotions boil over.

OREGON — The state has delayed the launch of an on-line sex-offender registry until a judge rules on motions by the lawyers of 10 sex offenders. Lawyers have argued that the Web site, which would carry the names, photos and addresses of the released offenders, is a violation of their rights.

Bioterrorists will have a harder time wreaking havoc in Oregon, thanks to a \$1.05-million Federal grant that will help the state identify and monitor outbreaks of unusual illnesses. Some 750 Oregonians were infected in 1984 when followers of the Bhagwan Shree Rajneesh laced salad bars at 10 restaurants in The Dalles with salmonella.

WASHINGTON — Drivers who have had their licenses suspended or revoked will have their cars impounded for up to 90 days under a year-old law that is now being enforced. The law is intended to stop some 340,000 motorists who are driving illegally. In order to get their cars back, drivers will have to pay impound fees and towing charges that may reach \$2,300.

Candid candidate

What could a former police lieutenant who has never held elected office offer to the people of New York State as a member of the U.S. Senate? Common sense and compassion, says Peter Ruane, who announced his candidacy on the Democratic ticket for the seat being vacated this year by retiring Senator Daniel Patrick Moynihan.

"There seems to be a total lack of common sense with a lot of senators and Congress people," said Ruane, the sole announced Democratic candidate, to the Associated Press in August.

The 54-year-old Ruane spent much of his 23 years on the force training young officers. Born in Queens and raised in Brooklyn, he now resides in Rockland County with his wife of 17 years, Kathleen, an advertising executive. Since retirement, Ruane has become an off-Broadway playwright, whose "Behind the Blue Wall," which he wrote and directed, examines police brutality, sexism, racism and corruption.

"It shows the dark side of the department," said Ruane, who has a master's degree in journalism. "It was an attempt to show that cops are ordinary people facing ordinary challenges."

So hard-hitting was the play's message, he said, that officers who saw it asked why he wasn't running for office and taking his message to the people. When he was asked the same question at another staging of "Behind the Blue Wall" at John Jay College of Criminal Justice in June, it gave Ruane the political hug.

"Why am I doing it?" he said. "I believe in the Democratic Party, and I believe in choices," he told The New York Times. "One of the reasons I believe in the Democratic Party is it has a

strong primary system. Not having a primary would mean not giving Democrats the chance to make a choice. That choice may very well be Hillary Clinton if she does come into the race, which I don't think is a certainty, but that's fine as long as there is a choice."

In a later interview, Ruane, whose reading preferences include history and philosophy, explained his decision to run for office by paraphrasing Plato: "The punishment of wise people who refuse to take part in the affairs of government," he told The AP, "is to be governed by the unwise."

Although barely underway, Ruane's campaign has already been marked with a candor that is uncommon among would-be elected officials. Asked by a reporter for his views on the perennial hot-button issue of gun control, Ruane replied: "I'm for eliminating gun shows. Having been a police officer, I have seen the destruction that illegal guns can do on the streets of the inner city. Directly or indirectly, most of those guns can be tied to those shows."

Nor did he flinch when questioned about the relationship between police and the community — particularly minorities — in the aftermath of the torture and beating of Abner Louima and the shooting of Amadou Diallo. "I believe the police department has changed for the better with the influx of women and minorities," said Ruane, "but I'm not going to say you're not going to find pockets of corruption or pockets of brutality somewhere."

Ruane hopes to get his name on his party's primary ballot next September, which is no small task, given New York State's labyrinthine election laws. Of his leading potential foe in the general election, Rudolph Giuliani, Ruane has only kind words, noting that the Republican Mayor has reduced crime and brought a lot of business to New York City. Nonetheless, he faults Giuliani for failing to establish partnerships with the various communities while he was reducing crime, and for a less-than-stel-

lar record of sharing the credit for New York's turnaround with community leaders. "A lot of minority communities are uneasy with him," Ruane remarked.

Is Ruane's quest merely quixotic? One supporter and long-time colleague seems to dismiss the notion. "You have to be somewhat dedicated to do this," said Capt. John Costello, the second-in-command of the NYPD's Vice Enforcement Division, "and that's one thing Peter is when he sets his mind to something."

Slowing 'em down

Let the AAA howl, but any motorist who cannot slow down to 45 miles per hour while driving through the heart of a small town deserves a speeding ticket, contends Lawtey, Fla., Police Chief M.M. "Butch" Jordan, called the nation's toughest cop on speeding.

Jordan, 61, has been chief of Lawtey — population 900 — for the past 38 years, longer than any other chief in the country, it is believed. Truckers gave him the nickname "The Silver Bullet" 31 years ago because they could not lose him in his silver Crown Victoria. The sobriquet is embroidered on his uniform.

While few would contest his right to ticket speeders, what has the American Automobile Association so upset is that Jordan and his eight-officer force appear to be using speeding tickets to generate revenue, according to the organization. In 1998, the Lawtey Police Department took in \$300,000 on more than 5,200 tickets — more than two-thirds of the town's entire budget. Officers in neighboring Waldo wrote \$390,000 worth of tickets, covering a third of their city's budget last year.

Moreover, the AAA contends that the two cities target tourists. Nearly 99 percent of tickets in Lawtey and 95 percent in Waldo were given to out-of-towners passing through on U.S. 301, a rural, four-lane highway that serves as a shortcut for motorists traveling southwest and northeast, where the change in the speed limit can be easy to miss. In a 1½-mile stretch of the highway north of Lawtey, it drops from 65 to 55 to 45 mph.

Lawtey and Waldo are the only two towns that the AAA dubs as speed-traps, taking the unusual step of warning its members to take a 43-mile detour to avoid them. "A city shouldn't depend on traffic tickets for its revenue," said Cindy Sharpe, a spokeswoman for the motor club. "It puts you in a position where you have to write tickets just to meet your budget," she told USA Today.

But Jordan contends that with 30,000 cars a day driving past businesses, pedestrians and an elementary school along Route 301, public safety demands his department's practices. And the residents of Lawtey agree.

"If you've ever seen a semi-truck driving 70 miles an hour past your school, you understand why we don't want people speeding," said Frances Cates, who owns Touchdown Pizza on the road and has two grandchildren that attend the elementary school. "Little kids cross that street," she told USA Today. "I don't care what AAA says. We want police to be strict about speed."

Back in action

In a city that underwent intense scrutiny following a string of police shootings involving black civilians, there are some in Charlotte-Mecklenburg, N.C., who questioned why officials would choose Darrel Stephens as the city's new chief. After all, they say, his name has been commonly linked with the race-based rioting in which homes and businesses were burned and looted in St. Petersburg, Fla., during his tenure as police chief there from 1992 to 1997.

But to those who have known and worked with Stephens during his 29-year career in law enforcement, no lawman could be a more natural successor to former Charlotte-Mecklenburg Chief Dennis Nowicki, with whom he shares a policing philosophy and organizational ties. Both are long-time advocates of community-based problem-oriented policing, and both have been actively involved with the Police Executive Research Forum, which Stephens served as executive director.

Even Nowicki, who retired in April, believes his successor may prove to be a better leader than he was himself. "His outreach to the community will be better than mine," he told The Charlotte Observer. "I think he will prove to be very, very acceptable to the officers."

Stephens was selected by City Manager Pam Syfert from three finalists for the post, including Charlotte Deputy Chief Larry Snider. "I think he [Stephens] is coming to an excellent police department, one of the best in the country, which will make the transition very easy," said Snyder.

The post will be the first Stephens has held in policing in more than two years. In 1997, he left law enforcement to become St. Petersburg's top city administrator. His tenure with that city's department was marked by a series of riots touched off in October 1996 when a black teen-ager was killed by a white officer during a traffic stop. At least 11 people were injured, including two officers, by a bottle-and-rock throwing crowd approximately 200 strong.

Another night of unrest erupted a month later after a grand jury cleared the officer of criminal charges. Two more officers were wounded by gunfire and seven others were injured. Stephens came under fire from officers who claimed they lacked the training and equipment to quell the uprising. He received a no-confidence vote from a majority of members of the city's police union, though a newspaper poll showed he had community support.

Stephens, who has also been police chief in Newport News, Va., and Largo, Fla., said the experience of the riots caused him to change his philosophy. He said he became more involved in looking at how economic development and educational issues affected crime.

Even his harshest critics in St. Petersburg agree that Stephens has become a different man. The lessons he learned from the crisis improved the city's racial climate, said Chimurenga Waller, president of the St. Petersburg chapter of the National People's Democratic Uhuru Movement, which played a role in the 1996 rioting. "I believe Darrel Stephens is not the same Darrell Stephens as pre-Oct. 24, 1996," Waller told The Observer.

Charlotte-Mecklenburg's police union and most city officials say the St. Petersburg riots do not make them uneasy about their new Chief. Mayor Pat McCrory contends that in Stephens they have a police chief who has been "tested" — a critical job qualification.

Still, some community activists are wary of Stephens. "Charlotte is not St. Pete," said Ahmed Daniels, a community coordinator with the NAACP. "What worked in Florida is not necessarily going to work here," he told The Observer. He suggested that Stephens get to know Charlotte by walking through neighborhoods and visiting houses of worship to hear what people have to say. The new and improved Stephens, for his part, says he'll be all too glad to listen.

Desert storm

A simmering dispute over recent cutbacks in the Clovis, N.M., Police Department has boiled over into a lawsuit filed by Police Chief Harry Boden against the city and city manager for alleged civil rights violations, that included trying to have him fired.

According to court papers filed in August, Boden was ordered by City Manager Rodger Bennett to reduce the size of the department to a level which the Chief believed was not in the best interests of public safety. In June, Boden wrote letters addressing these concerns to both Bennett and city commissioners. He was then ordered by Bennett not to talk to the commission about the cutbacks or related rumors circulating through the department.

Boden, who has been Chief for nearly eight years, was placed on administrative leave in early August, capping a brief but public exchange with Bennett over whether the Chief had decided to resign. Bennett insisted that Boden was planning to step down on Aug. 6 because "he didn't feel he could continue as Chief under the present conditions." Boden denied ever having said he would resign. Shortly thereafter, the Chief was placed on leave.

The conditions referred to by Bennett include a letter of grievance filed by 10 of the Police Department's 14 supervisors, in which they accuse Boden and two city commissioners of intimidating and threatening them.

According to The Associated Press, the grievance charges that Boden "has created such a hostile working environment...that morale is at an all-time low, the command structure has almost completely deteriorated and the level of confidence that [the supervisors] and the police department as a whole have in the competence and credibility of the chief is non-existent."

In July, about 60 percent of the 57-officer Clovis Police Officer Association voted "no confidence" in Boden's leadership.

An attorney for the police supervisors said they had tried unsuccessfully for about a month to meet with Clovis city commissioners to discuss problems in the Police Department. When those attempts went unheeded, the supervisors went ahead with the grievance.

Boden's \$1-million lawsuit seeks compensatory and punitive damages and attorney's fees. Bennett said that he and the city would defend themselves against Boden's suit.



Peter Ruane, a retired police lieutenant, who is seeking the U.S. Senate seat being vacated by Daniel Patrick Moynihan. (Wide World Photo)

Profiling furor prompts traffic-stop data collection

Prompted by the growing public perception that traffic stops often have more to do with motorists' race than their driving skills, the Florida Highway Patrol has decided to get in front of the issue and implement the state's first road-stop data collection program, beginning Jan. 1.

FHP officials contend that while racial profiling and pulling people over for "driving while black" are not problems within the agency, it has become a nationwide issue. "Although we've never condoned the practice, if there is a perception out there with the public, if one person is stopped out there by the Florida Highway Patrol trooper and they feel they were stopped only because of their race, we have a problem," Maj. Ken Howes told Law Enforcement News. "We want to take a proactive stance."

In a memorandum to agency personnel, the FHP's Director, Col. Charles C. Hall, made it clear to troopers that while "proactive traffic enforcement has long been recognized as an effective method of crime control," profiling will not be condoned.

"I expect that traffic stops made by members of the Patrol will be based solely on the violation observed," the memorandum from Hall said. "I also expect that the race, ethnicity, gender, or economic status of the vehicle occupants will not be considered in deciding whether to search the vehicle. Decisions to search a vehicle are to be based on evidence and the occupant's behavior patterns."

Troopers found to be conducting profiling stops will face disciplinary action, according to the memo.

Under the new system, troopers will be required to document whether a stop resulted in a ticket, a warning or even a faulty equipment notice, as well as whether a vehicle was searched for contraband.

Data collection will be done manually, with troopers filling out a Traffic Stop Field Report for each stop, said Howes. The agency is trying to make the collection sheet as "painless as possible" for troopers to complete, he said. "It may just be check boxes. I would suspect that once a trooper gets back in his car and fills out his sheet, it might

take 15 or 20 seconds to fill it out," the lieutenant told LEN.

Eventually, the FHP would like to upgrade its reporting system with either a computer-aided dispatch system that would allow troopers to notify a communications center of the relevant information after each stop, or mobile data terminals in each car that would give them the ability to register data during traffic stops. Both options come with hefty price tags, however. Modifying the agency's CAD system and hiring 34 additional officers to operate it would cost approximately \$1.1 million. Mobile data terminals would cost an estimated \$4.7 million. Both would require funding approval from the state Legislature.

Howes said the agency is still wrestling with the question of who would receive the field stop sheets and compile the data. "We're still working out the details on whether it will be at the troop level or forwarded to general headquarters in Tallahassee," he said. "I'm sure they will be entered into some kind of data base, but whether it will be out in the field or up at headquarters

I'm not aware of."

While the data-collection system has not been officially announced, it was mentioned in a new report by the FHP, "Perspectives on Profiling." Hall confirmed in The Miami Herald that the plan will be implemented.

In a review of the race and gender of motorists issued citations last year across Florida, "Perspectives on Profiling" found them to be consistent with state and county demography. A statistical breakdown of tickets showed that white drivers received nearly 75 percent of the citations, blacks about 17 percent, and 9 percent were written to other unspecified minorities. According to the 1990 census, 73 percent of Floridians are white non-Hispanic, with blacks composing 13.6 percent of the state's population and Hispanics 12.2 percent.

The report also reviewed citations issued in each county during 1998. No separate figure was given for a county's Hispanic population, which in the case of Miami-Dade County is the largest demographic group. The omission, said Colonel Hall, is due to the fact that race

is not included on Florida driver's licenses. The determination of race is generally left up to a visual judgment by troopers, he said, and in most cases, Hispanics are classified as white.

The high percentage of whites being given tickets there — 66 percent — most likely resulted from Hispanics being counted in those numbers, said Hall. In Broward, some 65 percent of tickets were given to whites, 22 percent to blacks, and 13 percent to other groups.

The report did not, however, track stops in which warnings were given, or where neither tickets nor warnings were given. Those types of stops have been at the center of much of the debate surrounding the "driving while black" issue. (In Oklahoma and Maryland, federal lawsuits are pending in which police are accused of conducting racially discriminatory stops.)

State Senator Kendrick Meek, a Democrat from North Miami-Dade and a former FHP trooper, said he would support allocating the funds to expand the agency's reporting system. "They are going to collect the data so that they have it on hand. They'll be able to have an early warning system so that if there are troopers who are out there doing questionable practices, they'll know," he told LEN.

Meek gives the agency kudos for moving ahead with the plan in between the legislative sessions to show they are "trying to put their best foot forward." It will send a signal, he said, to the small percentage of law enforcement officers out there who are stopping drivers for "driving while black."

"They're moving in the right direction," said Meek.

Patience runs out for those in the eye of illegal-alien storm

Although sympathetic to the plight of Mexican migrants trying to make it across the border to better jobs on American soil, the residents of Douglas, Ariz., have taken just about all they can stand from the thousands of undocumented aliens who traipse across the land at night, one step ahead of the Border Patrol.

With an influx of Federal agents and technology to crossings near San Diego and El Paso, Tex., the rural town of Douglas is now considered the No. 1 point of entry into the country for illegal aliens.

In March, some 27,000 migrants were caught by the local Border Patrol station there, the same number as in all of 1993. By the end of the recent fiscal year in September, the agency has projected it would have made 500,000 apprehensions along the 281-mile stretch called the Tucson Sector — one-third of the national total.

"We feel so sorry for these people," 67-year-old Larry Vance told USA Today. "But we're growing resentful, because we're living in fear."

Living on an isolated ranch in Douglas, Vance and his wife have taken their own security precautions, including a two-way radio that keeps them in touch each time Vance goes out to water his lawn. The number of the Border Patrol is programmed into the speed-dialer of the couple's phone, and they have two guard dogs that patrol the perimeter of their property.

On most nights, their son, Larry, 43, climbs a 30-foot tower he erected behind the house, where he uses a \$2,400 pair of infrared binoculars to scan the landscape for trespassing abens he can report to the Border Patrol.

"The world is crossing through my backyard, and I'm sick and tired of it," he told USA Today. Vance heads a group called Concerned Citizens of the U.S.A.

The flood of immigrants has caused property values in the town of 18,000 to plummet, as well, said Mayor Ray

Borane. Investors interested in buying property for dude ranches, he said, have been scared away. "We're being invaded," he said. "Fortunately, people are compassionate and sensitive to the plight of UDAs (Undocumented Aliens). But patience is wearing thin. I'm afraid someday there's going to be a tragedy."

Last spring, local ranchers mailed President Clinton and other state and Federal officials a petition warning them that if the Government does not provide security, residents will take action themselves. Borane has asked the Justice Department to deputize law enforcement officers so that they can make arrests for violations of Federal immigration laws.

Retirements yield understaffing — and overtime — in Fort Wayne

Although the Fort Wayne, Ind., Police Department is down 36 officers this year from its maximum staffing level, rank-and-file officers who are being paid time-and-a-half to fill in on shifts are not complaining.

The personnel shortage is due primarily to retirees, said Det. Jeff Burkholder, president of the local Patrolmen's Benevolent Association. Under a 1998 contract, the union was able to win retirement benefits for officers that has made leaving the department an enticement.

Coupled with a change in the state's pension law that lowered retirement age for police from 55 to 52, the new contract requires the city to pick up the tab for insurance for retired officers and their immediate families until they receive Social Security and Medicaid — a savings of more than \$480 a month per officer.

"In essence, we got those officers a \$6,000 raise upon retirement," Burkholder told Law Enforcement

News. "In addition, the City Council has directed the city attorney to prepare a lawsuit asking the Federal government to reimburse the town for such costs as the hospitalization of immigrants who seek treatment at local facilities."

Thus far, Borane has resisted residents' calls for the military or the National Guard to be sent in until some 300 reinforcements to the local Border Patrol station arrive. Residents complain that when they do call the Border Patrol, agents cannot always come because they are already up to their necks in illegal border crossers. One night in April, some 600 people rushed the border, outnumbering agents who managed to capture barely a third of them.

Local law enforcement has reported

no increase in crime, but has recorded triple the number of prowlers who turn out to be migrants. Said Sgt. Keith Barth of the Cochise County Sheriff's Department: "The majority of UDAs are timid. They aren't here to break the law. They want to get a job and start making money. But a small percent are criminals."

It is that small percent that has residents not just resentful, but frightened. "I've chased dope dealers with my Caterpillar," said Richard Puzzi, a retired fireman whose 1,000-acre ranch has been in his family since 1906. Like many of his neighbors, Puzzi has lost livestock because of migrants cutting water pipes to quench their thirst or cutting holes in his fence.

By the end of the year, the department will graduate another academy class of 26 officers and hopes to hire approximately 10 of the 50 or so officers who have applied from other police agencies under a lateral hiring program, said Officer Tom Rhoades.

"There is a minimum count that we have to maintain," he told LEN. "So the officers on the street, for the public, have remained the same. It might be a little more difficult for an officer to get time off, but I don't really know of any situations other than that."

What does make it stressful for officers, however, is when the department runs what is called the special program, said Burkholder. Officers are taken off their normal shift and sent to patrol specific neighborhoods, leaving fewer to answer calls for service. "Our argument is that you don't have the manpower to run the number of specials you're running," he said. "That's the problem, not the shortage in of itself that has created the problem."

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Stepping up to the firing line

Courts, legislators tackle a new round of gun-related issues

As the number of municipalities poised to join in litigation against the nation's gun manufacturers increases steadily, and schools across the country adopt a yellow-alert state of awareness in the first new school year after the Columbine High School massacre, one might argue that the times could hardly be better for gun-control proponents to push for more restrictions on the ownership and use of handguns and other firearms.

In light of recent events, battle lines are once again forming on both sides of the gun debate. From local and state governments to Federal law enforcement and the judiciary, the people's right to own guns is undergoing reexamination and redefinition. Among the latest developments:

Taking it to a higher court

A consortium of legal historians and law professors filed a brief in August to appeal a potentially watershed ruling by a Federal judge in Texas that found Second Amendment guarantees of an individual's right to bear arms supersede a 1994 Federal law forbidding possession by anyone under a restraining order. Should the April ruling by U.S. District Judge Sam Cummings be upheld, legal scholars fear it will "stand the law on its head," said Carl Bogus, a specialist in the Second Amendment at Roger Williams Law School in Rhode Island.

The appeal stems from a case involving a man indicted by a Federal grand jury for owning a handgun after being placed under a restraining order during a divorce proceeding. Timothy Joe Emerson, 41, was accused of verbally harassing his estranged wife's boyfriend. Cummings, who was appointed to the Federal bench by President Reagan, ruled that the law prohibiting Emerson from owning a weapon "is unconstitutional because it allows a state court divorce proceeding, without particularized findings of the threat of future violence, to automatically deprive a citizen of his Second Amendment rights." The case, *U.S. v. Emerson*, is being appealed to the U.S. Court of Appeals for the Fifth Circuit in New Orleans.

No sale

A Federal judge on Oct. 15 granted a temporary injunction against a Los Angeles County ordinance banning the sale of firearms by vendors at a gun show due to be held on county-owned property. The landmark ordinance had been approved by the county Board of Supervisors just days after five people were shot at a Jewish community center on Aug. 10 by white supremacist Buford Furrow.

The Great Western Gun Show, the most popular of four gun shows held at the fairgrounds in Pomona, attracts a throng of roughly 40,000 people from across the country. While security was improved for a gun show held there in July, agents from the state Attorney General's office who conducted a sting operation two months earlier were able to purchase illegal assault weapons, machine guns and conversions kits to transform semiautomatic weapons into automatic weapons. Agents also found hate materials, such as Ku Klux Klan T-shirts, for sale. "We were shocked at what we found at the Pomona gun show," said Nathan Barankin, a spokesman for Attorney General Bill Lockyer. "We were shocked at how big it was. We were shocked at how easy it was to buy illegal weapons."

Judge Richard A. Paez, acting in a class-action suit brought on behalf of 2,000 vendors at the Oct. 29-31 show, ruled that a trial was needed to resolve constitutional issues pertaining to the county ordinance.

Getting tough

California Gov. Gray Davis has signed into law what is considered to be the toughest ban yet on assault rifles in the nation. Instead of prohibiting specific models of such weapons, the new law, signed by Davis in July, outlaws particular characteristics, essentially banning the manufacture, import or sale of any semiautomatic pistol or rifle that can hold more than 10 rounds of ammunition, or that has any accessories such as a pistol grip or a folding stock. It also makes it a crime to manufacture, sell, import or give away any magazine capable of holding more than 10 rounds.

In a separate measure signed by Davis, individuals will be barred from making more than one handgun purchase a month. Three states, Maryland, Virginia and South Carolina, have passed similar laws. Gun-control proponents and some in law enforcement contend such legislation is essential to cutting off at least one avenue of supply to the illegal gun market by eliminating straw buyers.

Reversing course

The murders in June of three girls, ages 7, 8 and 10, by their father, with a handgun he was able to purchase despite being under a restraining order, convinced Colorado lawmakers in August that the state should reverse its earlier decision and allow the Colorado Bureau of Investigation to conduct its own criminal background checks on gun purchasers. Federal checks apparently

do not always have access to state or local records that would show restraining orders or misdemeanors. Some 50,000 people in the state have restraining orders against them at any given time.

Adding his voice

Connecticut Attorney General Richard Blumenthal filed a court brief in September supporting the City of Bridgeport's lawsuit against gun manufacturers. Blumenthal, the first state Attorney General to take such action, said the state is considering whether to become a co-plaintiff in the suit, which seeks \$100 million for the costs of gun violence to the city. Connecticut is home to a number of major firearms companies.

Permission denied

The owners of nearly 2,000 Uzis, AK-47s, AR-15s and other types of assault weapons in California are in danger of imprisonment and fines, following a decision by state Attorney General Bill Lockyer to drop a court fight defending his predecessor's practice of continuing to register semiautomatic assault weapons that were outlawed by a 1989 state law. The law declared some 75 specific models illegal and required owners to register them with the state Department of Justice by 1992 if they wanted to keep them. However, former Attorney General Dan Lungren had been letting gun owners quietly continue to register the weapons after the deadline. A lawsuit brought by Handgun Control Inc. forced Lungren to halt the policy. He appealed the San Francisco Superior Court's decision — an appeal that Lockyer has now decided to abandon.

Concession stand

In exchange for being excluded from an expected lawsuit, Colt's Manufacturing of Hartford and another gun maker, which was not identified, have entered into negotiations with the office of New York State Attorney General Eliot Spitzer to see if far-reaching concessions could be worked out. One of the items under discussion is a system whereby the gun makers give the FBI and the Bureau of Alcohol, Tobacco and Firearms bullets that have been fired during the testing of new guns for entry into a digital database. Spitzer has also asked that the gun makers make payments to the state's Crime Victims Board, which provides monetary compensation to victims of crimes.

According to The New York Times, Spitzer has also begun discussions with Robert Delfay, president of the National Shooting Sports Foundation, the largest gun industry trade association. The focus appears to be on developing a code of conduct within the industry.

Grasping at straws

Federal prosecutors indicted the owners and employees of five suburban gun shops in the Chicago area, and two of the shops themselves, on charges of supplying guns to straw purchasers for street-gang members. In some cases, employees allegedly tried to hide the identity of buyers with falsified receipts.

Pushing for change

The NAACP announced in July that it, too, would sue gun manufacturers as a means of forcing the industry to make its products safer and curb handgun sales. The suit, to be filed in Federal court in Brooklyn, N.Y., will seek changes in the industry rather than seek monetary damages. Gun makers would be required to take steps ensuring that distributors limit sales of handguns to no more than one per month per customer. The lawsuit would also seek to ban the sale of handguns at gun shows and require that trigger guards and other safety features be made part of the weapon's original equipment.

Lautenberg's latest

Retiring U.S. Senator Frank Lautenberg, (D-N.J.), already a *bête noire* of the gun lobby and police groups alike for his amendment banning handgun possession by domestic-violence offenders, called in August for Federal legislation that would require all states to license and register gun owners. While key details of the proposal remain to be worked out with other senators who will co-sponsor the bill, it is expected that all those seeking to purchase a firearm would have to obtain a photo license after undergoing a background check. In addition, all guns sold or transferred would have to be registered, and the purchaser's name, gun model and gun serial number would all have to be recorded by state authorities.

Testing 1, 2, 3...

Applicants for gun ownership should be required to pass a proficiency test before being allowed to purchase a weapon, said Attorney General Janet Reno in July. While the proposal would not be binding on states, Reno said applicants should have to pass both manual and written tests designed to measure basic gun operation and safety. The National Rifle Association, she said, offers the kind of training that states should require.

Did the NYPD get its money's worth with \$9M recruiting drive?

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be incremental. For the money spent, preliminary data indicate that the campaign drew just 700 more New Yorkers, about 800 more black applicants and 800 more Hispanic applicants.

"With all the resources and attention paid to this, one would have hoped that the increases would have been more dramatic," said Norman Siegel, head of the New York Civil Liberties Union.

Observers can point to a variety of reasons for the failure of the recruitment drive to attract a greater number of applicants of all types, but the primary issue — at least for the city's police union — appears to be the salary disparity between New York City officers and those in neighboring suburban departments.

"Apparently very few qualified people are interested in a job that pays so little to start and, even after 20 years, pays about \$20,000 a year less than police departments in the surrounding suburbs," said Patrick J. Lynch, the president of the Patrolmen's Benevolent Association.

Even Commissioner Safir has acknowledged that it is difficult to attract applicants to a job with a starting salary of \$31,305. Safir said he believed that police do not make enough money and that their salaries should not be held to the limits set in pattern bargaining with other municipal unions.

"I personally think that a police officer's job is so difficult and so important that they deserve more than other employees," Safir said following a news conference at City Hall.

Trying to recruit more city-based residents has also been tough for the NYPD in light of a number of racially-charged cases involving the police in recent years, including the choking death of Anthony Baez, the Abner Louima torture case and the Diallo shooting.

"You could not have a worse time for marketing and recruitment," Michael Meyers of the New York Civil Rights Coalition told The Times. "Morale could not be lower, race relations are the worst level one can think of. It's going to be a heck of a time for recruiting minorities, and the job does not pay well."

Thomas J. Scotto, the president of the Detectives' Endowment Association, contends that the most effective recruitment effort has always been word of mouth, with those on the job extolling its rewards to friends, relatives and neighbors. But morale is so low, he told The Times, that police are now telling those same people not to sign up for the exam.

The word-of-mouth method has also been found to be one of the more successful means of drawing in the very type of candidates the department is looking for — city-based, minority residents. In 1993,

then-Chief of Patrol Wilbur L. Chapman created an ambitious campaign that brought together 100 predominantly minority officers to seek out applicants on military bases, through community organizations and in churches.

So successful was the drive that of those who passed the exam in September 1993 and were placed on the hiring roster, nearly 24 percent were Hispanic, 22 percent were black and 2 percent were Asian — the highest proportion of minority eligibles ever on an NYPD police officer list.

But a move by the department to change both the age and educational requirements for officers, in addition to the merging of the Transit and Housing police departments into the NYPD, resulted in that list eventually being killed.

"People were recruited, they passed the exam, they were never hired," said Chapman, now the city's Transportation Commissioner. "There might have been budgetary reasons, there might have been other political reasons why they weren't hired; it's not for me to say. But the reality was that cadre of people now would be the up-and-coming sergeants, the next chiefs. And they would have changed, probably more radically than at any other time in the history of the department, the complexion and racial makeup of the department," he said in an interview with cable television channel New York 1.

Taking back the streets

Two new tacks against gang loitering

There is more than one way to skin a cat, and, apparently, more than one way for municipalities and counties to keep gang members from taking control of public areas through loitering and other activities.

Under threat of a challenge by the American Civil Liberties Union, the City of Cicero, Ill., chose in April to withdraw an ordinance that would have given those convicted of gang-related activity 60 days to get out of town and never return. As a replacement, Cicero officials approved a law authorizing police to seize the cars of teen-agers under 17 caught driving after a curfew. The city's curfew is in effect from 9 P.M. to 6 A.M. on weekdays and 10 P.M. to 6 A.M. on weekends. Police may also confiscate vehicles that contain materials suggesting occupants are planning to paint graffiti on town property.

Cicero is one of a number of cities around the country that have tried to pass local legislation to limit loitering by gang members, although not all have withstood legal challenge. In June, the U.S. Supreme Court upheld a ruling by a lower court that found Chicago's 1992 anti-loitering law to be unconstitutional. The law gave police too much discretion and the public too little awareness of what was illegal, said the Court.

The Chicago ordinance, which was in effect for three years, gave police the authority to order suspected gang members and others standing nearby to move along if they seemed to be aimlessly hanging around on the street. Those who refused to disperse were arrested and charged with a misdemeanor carrying a jail term of up to six months or a fine of up to \$500. Before an injunction suspended the law, some 42,967 people were arrested and police dispersed 89,000 loiterers.

Taking a lesson from the City of Chicago v. Morales and other case law, officials in Los Angeles contend that they have tailored their new anti-loitering ordinance to meet a constitutional challenge.

The law was approved on July 27 by the County Board of Supervisors and took effect in August. Supervisor Mike Antonovich called for the law in June, immediately following the

Supreme Court's decision.

"It's vital that the County of Los Angeles have an effective anti-gang policy," Antonovich told The Los Angeles Times. "The ordinance parallels the concerns raised by the Supreme Court to ensure its constitutionality and provides the tools to ensure public safety."

Applying to unincorporated sections of the county, the law makes it a misdemeanor for gang members to loiter with the intent to "publicize a street gang's dominance" over public areas and intimidating citizens from entering.

It also criminalizes loitering with the intent to hide from view illegal drug commerce and other unlawful activity — a provision aimed at the practice of gang members shielding drug transactions from view. Gang members' parents or guardians will also be charged under the ordinance with a misdemeanor should their children violate the anti-loitering law.

Senior assistant county counsel Ray Fortner said he believed the law could withstand the objections of civil libertarians, who have already called the ordinance "blatantly unconstitutional."

Gil Garcetti, the Los Angeles County District Attorney, said his office would consider the law carefully before applying it. "We're not sure it'll do anything for us," he told The Los Angeles Times. "If it is in fact another weapon we can use against gangs, we'll aggressively use it, but we want to be sure it can meet constitutional muster."

More than 20 injunctions on otherwise legal activity used by gang members are presently in effect across the county. Court rulings that forbid named gang members from using pagers or gather in public have been upheld on appeal.

But the likelihood that this new ordinance will be struck down is very high, said Elizabeth Schroeder, associate director of the ACLU of Southern California. "What does it mean to intentionally intimidate anyone?" she asked The Los Angeles Times. "Does it mean a dirty look? If I am not a gang member and I happen to be standing next to a gang member who glares at someone, can I be arrested?"

School bells ring, with calls for tighter security

When queried, students say that what is needed to reduce violence in the nation's schools is more attentive faculty and a more nurturing atmosphere. But that "all you need is love" approach will not wash this year with either parents or school administrators, who are demanding that the presence of uniformed police officers at schools be expanded and that other safety precautions be implemented, in the wake of last April's massacre at Columbine High School in Littleton, Colo.

While there may be disagreement between teen-agers and adults as to how to avoid tragedies, studies from both the Centers for Disease Control and Prevention and private organizations released in August revealed that many students do not feel safe at school, despite evidence of a marked decrease in the amount of violence and drug use among teen-agers on and off campus.

According to findings by the CDC drawn from four biennial surveys, there was no change in the proportion of students who had skipped school in the previous month because they felt unsafe (4 percent); were threatened or injured by a weapon at school (7 percent); or who had property lost or damaged there (33 percent).

Nonfatal victimization and perpetration of violence remain at historically high levels, said the study, which examined the period between 1993 and 1997.

The annual State of Our Nation's Youth survey, sponsored by the Horatio Alger Association, found that only 37 percent of high school students feel safe in schools, down from 44 percent in 1998. The association sent four-page questionnaires to 2,250 teen-agers ages 14 to 18 with different demographic backgrounds just days after the Columbine massacre on April 20.

Yet the CDC study and a number of others released at the same time indicate a decline in the level of school violence. CDC researchers found the number of students who said they carried a weapon to school declined by 28 percent between 1993 to 1997. Also declining, by 9 percent, was the number of students who said they got in to a school yard fight during that period. The proportion of students who said they carried a gun on or off campus also dropped by 25 percent in those years.

"This is real progress," said study co-author Thomas Simon, a behavioral scientist for the CDC. While it is still unclear how students might be affected in the long run by the recent tragedies at Columbine and other schools, Simon told the Philadelphia Inquirer that the four surveys, part of a larger, ongoing project that reaches 45,000 students

nationwide, gives a more representative picture of children today.

In what can only be considered more good news about the nation's youth, a study by the Department of Health and Human Services found that drug use declined from 1997 to 1998. The National Household Survey on Drug Abuse showed a sharp decrease from the 11.4 percent of adolescents aged 12 to 17 who said in 1997 they had used an illegal drug within the past 30 days to the 9.9 percent who reported doing so last year.

Despite what some experts described as a failure to reach black and Hispanic youths, whose use of heroin and cocaine increased last year, Clinton Administration officials have hailed the survey as proof that the country has "turned a corner" in its fight against adolescent drug use.

In yet another study, this one by the U.S. Department of Education, the number of students expelled for bringing weapons to school was found to have dropped by nearly a third during the 1997-1998 school year. Some 3,930 students from all 50 states, the District of Columbia and five U.S. territories were expelled for firearms violations that period, down from 5,724 during the previous year. Some 424 students were forced to leave school for gun violations in Texas, and 382 in California during that year.

Bill Modzeleski, director of the Education Department's Safe and Drug-Free School Program, said officials are confident that there is a true decline in school gun incidents. "The trend line is, fewer guns are going into schools," he told The Associated Press.

But these indicators have done little to convince parents or administrators that there are fewer weapons in school or that children are safer. Some communities have already taken steps to beef up security. The sheriff's office in Jefferson County, Colo., where the Columbine shootings took place, is asking that law enforcement officers of all kinds make the area's schools part of their daily rounds as a way of establishing a presence and close liaison. School resource officers have already been placed at Columbine and four other high schools.

Officials in Edwardsville and Collinsville, Mo., are pursuing community-oriented policing grants to increase the number of school resource officers this fall. Said Edwardsville Police Chief Bennett Dickmann: "The teachers are not police officers. The teachers don't have time to be police officers because they have information they need to be sharing [with the students]. When there is a law violated and that line is crossed

it's important we're there to immediately address the problem."

In California, a report by the Los Angeles Task Force for Safe Schools outlined a 15-point program calling for many of the same safety precautions being demanded in other cities around the nation.

Released in August, the report recommended such policies as establishing greater consequences for students who bring any weapon, including cutting instruments or any man-made weapon, on school campuses; putting greater emphasis on children who commit minor offenses instead of solely concentrating on those who commit more heinous crimes; authorizing and funding the removal of violent students and those guilty of weapons possession to separate learning programs, and making violence reduction a core component of pre-service and in-service training for teachers, administrators and school staff.

Bridgeport, Conn., is just one of the cities in that state where school officials have placed a priority on coming up with greater safety precautions this year. Both municipal and board of education police officers will be stationed at the city's three high schools and six middle schools as part of a school safety program.

Called "student resource officers," the uniformed personnel will be part counselor, part mentor, part friend, said a statement by Bridgeport Mayor Joseph P. Ganim and Superintendent of Schools James Connelly. The new officers were planned before the rampage in Columbine, they said. In addition, four to six security guards will be inside the buildings and one full-time board of education officer will be stationed outside.

In other Connecticut cities, teachers and administrators in Hamden were given instruction in "hostage survival" skills. In Middletown, huzzer entry systems and video cameras were installed this year. School officials in Waterbury, where several bomb threats were received, are continuing a see-through book bag policy and will possibly keep lockers shuttered.

Seven students who took part in a panel discussion in August at the National Press Club in Washington said that fear in schools was natural after all of the publicized violence of the past year. The actual number of incidents mattered less, they said, than the realization that mayhem could erupt at any time.

"Within the last year there have been so many incidents," said Maya Isaac, a student from Rolla High School in Missouri. "Especially after that Columbine incident, every school I know has had some sort of incident," she said. At Rolla, a student threatened to mimic the massacre in Colorado, said Isaac. "It almost gave [some] students an odd sense of power."

The most effective way of avoiding such a crisis, said students, was to increase the sense of nurturing at the school. Students are not fully comfortable with the metal detectors, searches, locked doors and windows, said the panelists.

"You have drug dogs and locker searches," one student told The St. Louis Post-Dispatch. "They do those things in jail. School isn't supposed to be jail."

"Sober Living" is a win-win situation

The Housing Authority of Louisville has found that a section of public housing set aside as a drug-free living environment is as crucial for recovering addicts and alcoholics as it is popular with other residents eager to put distance between their families and those who engage in a high-risk life style.

Sober Living, as the 66-apartment complex is called, already has a waiting list of 100 people, said Atecia Nash, a spokeswoman for the housing agency. The idea has actually been around for years. In 1975, a group of addicts in

Maryland took over their halfway house after it was closed by the county and ran it themselves. The group would vote on expelling members who violated its rules against drinking and drug use.

Following a survey to gauge local interest, the Louisville Housing Authority formally approved the program last October, and residents moved into the Sober Living units at the beginning of this year. The program is the only one of its kind in public housing in the nation, Nash claimed.

In addition to pledging not to use

illegal drugs or alcohol themselves, residents must also promise to keep those substances off the property and out of the hands of visitors. They are also subjected to random drug testing, said Karen Cummings, a case manager for the Jefferson Alcohol and Drug Abuse Center, which is a partner in the program. An on-site staff is maintained by the agency and is available to residents 24 hours a day through a pager.

"It's not a jail," Nash told The Louisville Courier-Journal. "It's not a so-

cial service agency per se. What it is is a community of individuals who choose to be sober and support one another in that goal."

Residents are expected to serve as watchdogs, reporting drug and alcohol violations to management. Those in recovery must attend five meetings per week of either Alcoholics Anonymous or Narcotics Anonymous.

Eventually, the housing authority said it would like to see the program become self-governing without the need for social service agency staffing

Manus:

100,000 police = politics & poor planning

By Raymond Manns

In July 1999, the U.S. Department of Justice, Office of Inspector General, Audit Division, indicated that the announced goal of adding 100,000 new police officers by the year 2000 would not be met. The audit found there was a "high degree of difficulty in establishing that funds under the Making Officer Redeployment Effective (MORE) program actually resulted in additional COPS officers on the street." The audit also found indications that supplanting existing funding, and inadequate good-faith planning to retain officers, may yield fewer officers than provided for under the grant.

On July 29, 1999, the newspaper USA Today reported, under the headline "More law enforcers becoming lawbreakers," that Janet Reno has sent more cops to prison than any other Attorney General. In the previous five years, the Justice Department has convicted a record 756 former law enforcement officers on Federal corruption, brutality and other charges, and the Administration has asked for funds in next year's budget to pay for 16 additional Federal prosecutors to work solely on police cases.

Community policing has been a fraud perpetrated upon the public by pandering politicians. In their haste to distribute Federal dollars to their home districts, Congressmen neglected their duty to check the power of the Executive Branch. Government agents distributed \$8.8 billion for 100,000 additional police officers (COPS AHEAD, COPS FAST, COPS MORE) with a promise to build problem-solving partnerships between police and communities. The money has been spent and the preliminary results indicate crime is down while tension between minority groups and the police has increased. Those who wrote the checks ignored some very serious concerns: Who determines the priorities for police action? What problems are appropriate for police intervention? Where would police be deployed? When should police intervene? How should po-

Raymond Manns recently retired from the New York City Police Department after 30 years of service. He retired at the rank of lieutenant, serving with the department's Office of Management Analysis and Planning.

lice problem-solvers be trained? And, perhaps most important: Why should problem-solving agents have police powers?

Police are unique agents of government in that they have both the authority and the responsibility to use force, including deadly physical force. The Bill of Rights deliberately limits the government's authority to act against individuals without first establishing probable cause. Reliance upon the coercive authority of the police to solve social problems is not in the best interest of a democracy. The constitutionally constructed system of checks and balances has repeatedly identified abuses with the use of force by police, but only the judiciary takes action to protect the public.

Using an illusion of police-community partnership, Congress dangled "free money" in front of local communities regardless of an objective need for more police.

Public officials who benefit from police actions claim "junk justice" when judges hold police to the rule of law. Unpopular Supreme Court efforts to limit abuse have been denounced as handcuffing the police when they mandate procedures to protect the rights of individuals. The judiciary scrupulously protects the rights of those who are arrested, yet the abuse of authority continues.

Free money

Despite the record of abuse by police — who are, after all, agents of the executive branch of government — the legislative branch chose to fund additional police without considering the potential additional abuses. Congress dangled "free money" in front of local communities regardless of an objective need for more police. Executives who had heretofore solved problems without police coercion were encouraged to take the Federal funding and place the police in the process in the future. The executive and legislative officials used an illusion of a police-community partnership to simply distribute funds. They were content to let the ends justify the means.

When results are good, many are quick to take credit for an enhanced quality of life. Fortunately,

most police decisions produce positive results, and the public is properly served. However, when a case of abuse of authority surfaces, politicians distance themselves from the outcome in the hope of hiding their failure to monitor and control police conduct in the first place. Individuals with vested interests will quickly seek out scapegoats and divert attention from the recurring problems routinely found in police agencies. While the best of plans is no guarantee of success, a flawed plan invites failure. Politicians distributing the tax dollars ignored two obvious problems with their plan: one with the community and one with the police. The political interference with local policing has increased the role of the coercive power of the

lopers to upset their quality of life.

The academic community defined community policing in Utopia, where a single-minded community worked together for the common good. Special interest groups — environmentalists, gay rights advocates, feminists, pro-choice/life, etc. — expect the police to protect their particular agenda and are often intolerant of opposing views. Self-promoting activists thrive on public confrontation to attack their opponents and limit legitimate debate. The self-evident truths identified in the Declaration of Independence and the striving for a more perfect union described in the Constitution have been forgotten by politicians looking for a quick fix to social problems.

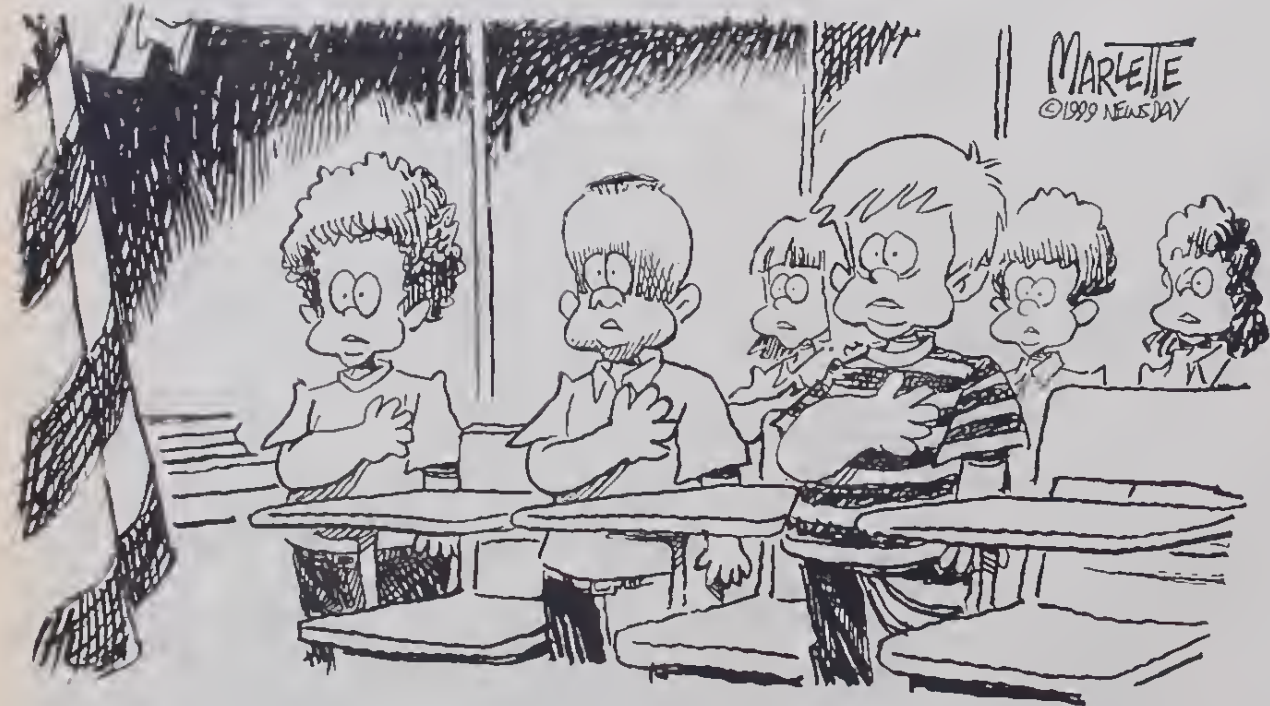
The major recurring problem with the police has been the control of force. By necessity, the police need only have probable cause to use force. There is no burden to absolutely right. The responsibility to control this use of force resides in the elected and appointed local executives who must hold police officers accountable to the law, departmental rules and regulations. Executive policy decisions encourage police behavior and influence police practices. Policies rewarding "zero tolerance" produce quite different police actions from policies promoting partnerships. Individual officers make numerous discretionary decisions each day. These decisions effectively determine who gets police protection, who gets police service and who gets policed. Make no mistake: There is a significant difference between the greeting "How may I help you?" and "Up against the wall."

The rhetoric of community policing encourages problem-solving, engaging the police to address the precursors to crime. Police have been asked to reject the reactive approach to past crimes and be willing to take more risks with new approaches to solving problems. These new approaches would empower the police with more discretion while reducing the administrative record-keeping and adherence to bureaucratic rules. Community police proponents conveniently ignore the fact that these rules and record-keeping have been designed to prevent the recurrence of previously identified misconduct. When problem-solving is coupled with the political need to provide immediate results, the police become more proactive, and take action before a crime is committed.

Unwarranted arrests

The deployment of police to intervene before the appearance of crime is particularly troublesome to those who wish to prevent the abuse of force. The Bill of Rights recognized this concern and protects individuals from unreasonable search and seizure. Political expedience ignores the risk of abuse and encourages the police to circumvent these safeguards to achieve quick results. The warrant requirement of the Constitution has been relaxed to the point where virtually all arrests in local communities will be proactive, and without a warrant. Upon judicial review, many of these arrests will be deemed unreasonable, and the person arrested will be set free. For each of the persons carrying contraband who are illegally arrested, there can be more stops of individuals without contraband who are not arrested. The

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Note to Readers:

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Will new inquiry lay Waco questions to rest?

Long considered a watershed event in the rise of the country's ultra-right wing militia movement, the steps that led to the destruction of the Branch Davidian compound in Waco, Tex., in 1993 will get yet another exhaustive examination, after information surfaced in August indicating that Federal agents had indeed used pyrotechnic devices in the hours before the cult's bunker went up in flames, killing scores of men, women and children.

The revelations, which were reported by The Dallas Morning News after an interview with a former senior FBI official, are considered so damaging to the credibility of both Attorney General Janet Reno and FBI officials that Reno has ordered another inquiry. Some 40 agents have already been assigned to reinterview everyone who was at Waco on April 19, 1993. An independent investigation will also be conducted by retired U.S. Senator John Danforth, who is also the former attorney general of Missouri.

In the six years since the cataclysmic

standoff in Waco, the FBI has flatly denied to both Reno and Congressional investigators that it fired the military-type tear-gas canisters known as M-651s at the compound. In now conceding that such rounds were used, a spokesman for the bureau explained that the two devices were launched at a concrete bunker six hours before flames engulfed the wooden main building of the compound, killing at least 25 children and 55 adults.

The rounds, which were described as pyrotechnic only in the sense that they were heat-generating, were shot from 40 feet away and fell harmlessly to the ground. Federal agents had wanted to send tear gas into the bunker, said a spokesman, because they feared cult leader David Koresh and others would escape through a tunnel between it and the wooden structure.

The issue now, it seems, is not whether agents caused the fire — lawmakers agree that no new evidence suggests it was caused by anyone other than the Branch Davidians — but rather that

Congress and the public were misled about the actions that took place that day.

The FBI's acknowledgment years after the fact has left Reno in an awkward position, and has widened a breach that many observers believe has existed between her and FBI Director Louis J. Freeh. In testimony before the House Judiciary Committee, Reno had previously denied that use of tear gas could have caused the fire. The Attorney General told members of Congress that she had received assurances that no incendiary tear-gas canisters would be used because of her concern over the possibility of fire. When asked about the Texas Rangers' investigation at a July 29 news conference, Reno again stated that she had gone over the incident and found no evidence that pyrotechnic devices had been used.

Reno described herself as "very, very frustrated," and "very, very upset," by the FBI's admission. It is absolutely critical, she said, that "we do everything humanly possible to learn all the facts as accurately as possible and make them available to the Congress and public. I will not stop until I get to the bottom of this."

On Sept. 1, Reno took the unusual step of dispatching United States Marshals to FBI headquarters to seize tapes containing radio communications between agents asking for and receiving permission to fire the grenades.

Reno had come under harsh criticism for the assault on the compound. The House Government Reform Committee found at that time that Reno and the FBI should have known that the raid could have touched off a "violent and perhaps suicidal reaction." The Treasury Department and the Bureau of Alcohol, Tobacco and Firearms, in particular, showed gross incompetence, it concluded.

But the Attorney General regained much of her credibility by accepting responsibility and conducting an inquiry that seemed to answer many of the questions raised by the action. With the emergence of the new information, which seems bound to fan the flames of conspiracy theorists, both Reno and the FBI find themselves with their credibility again at stake.

Last month, Danforth formally accepted appointment as special counsel to investigate the Waco incident. As a condition of employment, he was granted the broadest possible investigative authority, including the power to question both Reno and Freeh, and to impanel a grand jury.

According to a statement outlining the points of inquiry released by the Justice Department, Danforth's investigation will seek to determine whether government officials made false or misleading statements; if evidence about the siege was altered, suppressed or destroyed; whether incendiary or pyrotechnic devices were used by officers on the day of the final standoff; whether government agents started or contributed to the spread of the fire which consumed the compound; and whether agents used gunfire on the compound the day it burned.

The new evidence surfaced as part of a wrongful-death suit filed by Branch Davidian survivors and their families, which is scheduled to open on Oct. 18. FBI officials suggested that the internal document listing the canisters as equipment used in the raid did not

emerge earlier because investigators attached little significance to an event that happened hours before the fire. The story was carried by The Dallas Morning News after an interview in which a former senior FBI official, Danny Coulson, said that such devices had been used. His claims were backed up by Texas Rangers who said their own ongoing investigation uncovered evidence of the use of the M-651's.

FBI officials continue to insist, however, that disclosure of the information does not change the basic facts known about the incident. From the very beginning, both the bureau and Reno have insisted that the fire was set by the cult members themselves, based on such evidence as listening devices that recorded the cult members discussing plans for the fire before it actually started. Arson investigators also found flammable liquids, including camp stove fuel, charcoal lighter fluid and gasoline, poured around the wooden structure and believe it started in three places.

There is little doubt that the discrepancies now being uncovered will fuel the suspicions of anti-Government militia groups that have used Waco as a rallying point. Henry S. Ruth Jr., a former Watergate prosecutor and an outside expert involved in the review of the Treasury Department's actions, said it was believed at the time that the Justice Department did not tell the full facts about what was known.

He called "pointless" the new round of affidavits presently being collected by agents. "Are 40 FBI agents doing interviews really going to restore the Attorney General's credibility? If they don't reopen the whole thing now and actually use outside investigators, this will be like the Kennedy assassination for the next 50 years. I live in the West and the Midwest, and this issue is keeping the militia groups alive," Ruth told The New York Times.

Dr. Robert Loudon, the former chief hostage negotiator for the New York City Police Department and a contributor to one of several documents that reviewed the Government's actions at Waco, believes a new inquiry providing definitive answers to what occurred during the final standoff is necessary if the event is ever to be put to rest in the mind of the public.

Loudon, who is currently director of the Criminal Justice Center at John Jay College of Criminal Justice, said he was convinced at the time, and remains so, that the fires were set by the Branch Davidians, based on the evidence uncovered by arson investigators and the satellite imaging taken at the time of the conflagration. But with the "hue and cry" raised in so many quarters, the case needs to be reopened.

"There are so many questions that

have been raised that were either overlooked originally or were included in some files that nobody considered seriously," Loudon told Law Enforcement News. "Chances are there is not going to be a great epiphany of information as to what happened and when it happened."

While some will see the newly emerged information as evidence of a cover-up, Loudon conjectures that a driving motivation in many situations with a fatal outcome is fear of civil and criminal liability. "You answer truthfully what is asked of you, but you do not volunteer information," he said. "An analogy in a hostage-related area would be Attica in 1971, where we are now in 1999, but there are still civil lawsuits going on. What you say, when you say it, how you articulate it, has meaning for decades to come — not only for historical purposes, but for civil and criminal litigation."

Amid fears that a new wave of conspiracy theories will evolve from the latest damage done to the credibility of Federal law enforcement, the Cato Institute released a report in August denouncing the increased paramilitarization of civilian law enforcement. [See related story.] "State and local police departments are increasingly accepting the military as a model for their behavior and outlook," wrote the report's author, Diane Cecilia Weber. "The sharing of training and technology is producing a shared mindset. The problem is that the mindset of the soldier is imply not appropriate for the civilian police officer."

Blurring the line between the functions of these two groups can lead to dangerous and unintended consequences, such as unnecessary shootings and deaths, said the study.

In a brief description of the role that military personnel played at Waco, the Cato report noted that Federal agents were trained by Army Special Forces at Fort Hood and that Delta Force commanders would later advise Reno to use tear gas to end the 51-day siege.

In fact, documents obtained by The New York Times under the Freedom of Information Act revealed that officials at the highest levels of the Defense Department were briefed by the Special Operations Command about events in Waco.

While the FBI has acknowledged receiving military assistance during the siege from soldiers assigned to Delta Force as observers, the Department of Defense did not play an operational role in the action. A report from the General Accounting Office did not contradict the agency, but found that about \$1 million in equipment, supplies and electronic surveillance devices had been provided by the military to the bureau and the ATF.

Study sees "ominous" rise in paramilitary PDs

Continued from Page 1

countries, while Navy Seals have helped with drug interdiction in Haiti, it said.

Along the Mexican border, the Marines now patrol to keep drugs and illegal immigrants out of the country. The Justice Department settled a wrongful-death suit for \$1.9 million after an 18-year-old tending his family's goat herd was shot and killed by a Marine anti-drug patrol in 1997.

The growth in the number of SWAT teams established by local police departments has skyrocketed during this time, as well, notes the study. "The proliferation of SWAT teams is particularly worrisome because such units are rarely needed," it said. "Local jurisdictions should carefully assess the need for SWAT units and guard against the danger of mission creep."

"SWAT teams do possess specialized skills," the study notes, "but they should only be deployed on those extraordinary occasions when their skills are necessary — such as a hostage negotiation."

Elite units of police officers existed during the 1960s and 70s, but they tended to be only slightly better equipped than their colleagues. Now, with help from the Military Cooperation with Law Enforcement Officials Act of 1999 and other legislation, police departments throughout the country are frequently outfitted with sophisticated tactical equipment that includes pinhole cameras, flash/bang grenades, rubber bullets and surveillance devices such as Laser Bugs that can detect sounds inside a building by bouncing a laser beam off a window.

According to a 1997 survey conducted by researchers at Eastern Kentucky University and cited by the Cato report, nearly 90 percent of departments surveyed in cities with populations over 50,000 had paramilitary units, as did 70 percent of agencies in areas with populations under 50,000. Most of the SWAT teams have been established over the past decade, said the study.

Moreover, the use of SWAT teams

for a variety of crime-fighting initiatives has become routine over the past few years, in sharp contrast to earlier times when such units were called in only in extraordinary situations, said the study. Increasingly, the war on drugs is turning police officers into soldiers, it said, and high-crime areas into "war zones."

In Fresno, Calif., the department's SWAT unit has two helicopters equipped with night vision goggles and an armored personal carrier with a turret. The 40-member team is dispatched to the inner city to deal with gangs, drugs and other crime.

Said one respondent to the 1997 survey in describing the department's use of the unit: "We're into saturation patrols in hot spots. We do a lot of our work with the SWAT unit because we have bigger guns. We send out two, two- to four-men cars, we look for minor violations and do jump-outs, either on people on the street or automobiles. After we jump-out the second car provides periphery cover with an ostentatious display of weaponry. We're sending a clear message: If the shootings don't stop, we'll shoot someone."

The proliferation of such units, said the study, is worrisome because they are rarely needed. The Albuquerque Police Department dismantled its SWAT team after a series of wrongful-death lawsuits were filed against the city. A similar situation arose in Dinuba, Calif., the study noted, where the city was ordered to pay \$12.5 million after the department's SWAT team killed an innocent man. The judgment exceeded the town's insurance, straining its financial resources.

Although surplus military equipment is readily made available to departments, not all police agencies have acquired such gear. Nicholas Pastore, the former chief of police in New Haven, Conn., told researchers that he had been offered tanks and bazookas, but turned them down. It feeds a "mind-set that you're not a police officer serving a community, you're a soldier at war," he said.

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The 100,000-officer political promise

Continued from Page 8

underlying improper police behavior has been encouraged and rewarded by executives who benefit from the immediate reduction in recorded crime. The police are content to get the contraband off the street.

Unfortunately, proactive policing occasionally contributes to events that attract public attention and outrage. The police agent involved will find that behavior repeatedly rewarded will be suddenly scrutinized and held to standards that were normally ignored. Police can be hailed as heroes when they confront suspicious conduct and apprehend armed criminals. Any threatening movement would be countered by immediate physical force. In just a few seconds, an outcome will be determined. If, after the fact, the officer discovers the perceived threat was not a gun, but a beeper, the officer could be

condemned as a criminal. Activists will assemble a host of witnesses to claim police brutality and demand justice. The policy-makers who rewarded the proactive conduct avoid detection by diverting attention to the individual officer. One tragic outcome and the heroic career of a proactive officer can be reduced to a profile of a rogue cop.

Partnerships & pretexts

With Federal funding, local police forces have increased both in size and in the capacity to collect data on lawful activities to aid in problem-solving. Federal money has been used to equip the police with laptop computers and to establish links among local computer networks with state and Federal agents. New technology enables police forces to amass data on driving habits, credit histories, spending practices and a host of other common activities that can be

The future of proactive policing is limitless, once the constitutional safeguards are silenced.

linked to build profiles on individuals. Special-interest communities can build partnerships with the police to share this information under the pretext of protecting the public. For example, the speed of a vehicle using E-Z Pass between two highway points can be measured against the average speed of other vehicles, and coupled with the credit-card purchases of gasoline to create a profile of aggressive drivers. Proactive police could seize assets before aggressive drivers actually cause any injury, similar to the current practice of seizing the property of drivers who drink. Students' use of Metrocards on mass transit could be checked against class schedules to target truants for proactive police intervention. The future of proactive policing is limitless, once the

constitutional safeguards are silenced.

Providing quality service to the public is a complex undertaking. Expanding the role of the police in delivering these services can be costly, both in dollars spent and liberties lost. Congress gave communities Federal funds without an obligation to identify a baseline level of service or the problems to be solved. Absent a baseline, it is virtually impossible to evaluate the impact of the funding. Increasing police officers may well increase the level of quantifiable police activities, such as arrests and summonses, without providing the promised services to those who have the greatest need. Having failed to link performance measures to the funding, Congress gave police executives a blank check. Without a valid measure, it is possible to spend more money and yet produce even less service and protection per dollar. As often happened in the past, powerful people and special-interest groups may once again benefit at the expense of the powerless.

Constitutional obligation

The politicians who set 100,000 proactive police officers upon an unsuspecting public have a constitutional obligation to monitor and evaluate police conduct. The Government could have funded teachers, guidance counselors or social workers, but they chose the agents who represent the coercive power of the state. The legitimate exercise of force is sometimes necessary to protect the public. In 1991, the communities within Crown Heights expe-

rienced four days of riots while the New York City police hesitated to use appropriate force to restore order. At times, the use of force has been excessive. Waco and Ruby Ridge are poor examples of forceful intervention by police agents. Ignoring the accountability of elected and appointed officials when investigating police conduct is a disservice to the public. Politicians are happy to claim credit for the short-term results when crime drops; they must be prepared to take responsibility for the long-term product as well.

The political promise to add 100,000 police officers to local communities was so poorly conceived, constructed and conducted that no one should be surprised when the actual number turns out to be significantly less. But it is clear that there are more police agents now than five years ago, and the police are doing more than fighting crime. Under the premise that might makes right, police agents employ zero-tolerance programs to solve social problems. The workload of the Justice Department's Civil Rights Division demonstrates that the benefits of increased policing have not been equitably distributed among the population. It could take years to realize the full impact of ignoring the Constitution. Politicians may be reluctant to initiate a proper inquiry into their own culpability, leaving it to historians to discover the truth.

If the end product of more police officers is a police state, is the price too great to bear?

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Bullet tracing: How to get the FBI & ATF to talk

Continued from Page 1

firm, Nmemonics Systems Inc., in 1991 to develop a program based on tracing shell case markings. Two years later, ATF had a system developed by Forensic Technology Inc. of Montreal that could match recovered bullets. Eventually, both systems developed the capacity to look at shells and casings.

But by the mid-1990s, competition broke out between the two agencies, with both offering grants to local police departments to adopt their equipment and training. At present, approximately 150 police agencies have taken the FBI up on its offer, while 50 chose the ATF's IBIS system.

"It is my understanding that they [ATF and the FBI] came at it from different viewpoints," said Field. "The FBI was interested in cartridge cases and the ATF was interested in bullets — they sort of grew together. I don't think it started out as a headbutting contest."

But it has proven a tiresome issue for some police departments. In 1996 the Boston Police Department acquired the IBIS system, only to learn that the Massachusetts State Police had chosen Drugfire. Any shell casings and bullets found in Boston are put into both networks so that both databases can be accessed. "We do double entry and it is not in the best interest of efficiency," Deputy Supt. William Casey told The New York Times.

The Baltimore Police Department has used the Drugfire system since 1991, said Ed Koch, director of the department's crime lab. The agency is part of a regional system that allows it to access Drugfire databases from de-

partments in northern Virginia, the District of Columbia, Prince George's County and the Maryland State Police. To check files in those departments using IBIS, however, "We would have to take that cartridge case, go to an IBIS system, load it in, and then check the files," he told LEN.

While the systems are comparable, said Koch, the advantage of Drugfire for his department is that firearms examiners who will eventually testify in court can enter the data and do a search. In the case of IBIS, a technician does the entry. "My examiners like the Drugfire because they could go in, do the comparison, pull up the screen, split it, say, 'I think I got a hit,' pull the evidence and do the actual identification," he said.

What Koch and others would ultimately like to see is the establishment of a national database of guns and cartridges that could be accessed electronically without having to send evidence and personnel to various states. "We had a case we thought involved New York," he said. "We had to download our information, travel up there by car and run it against their system."

Although the cost to the department was not prohibitive in that situation, Koch said that had the evidence been linked to crimes in California, he would not have been able to do that.

"If this gun may have come from California, then we could go in and check California databases to see if this gun was used in other shootings," he said. "Right now, we can't do that. But this is what [a] new system will do for us."

Upcoming Events

NOVEMBER

1-3. Administration, Management & Supervision of the Field Training Officer Program. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$425.

1-3. Investigation of High-Tech & Internet Crime. Presented by the International Association of Chiefs of Police. Hillsboro, Ore.

1-3. Fraud Investigation Methods. Presented by the Investigation Training Institute. Dallas.

1-3. Street Survival 99. Presented by Calibre Press. Springfield, Mass. \$199.

1-5. Managing the Patrol Function. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

1-5. Crime Scene Processing. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$550.

1-5. Advanced FoxPro CDI Programming. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$695.

1-5. Advanced Hostage Negotiations. Presented by the Institute of Police Technology & Management. Pensacola, Fla. \$550.

1-5. Inspection & Investigation of Commercial Vehicle Accidents. Presented by the Institute of Police Technology & Management. St. Petersburg, Fla. \$525.

1-5. Crime Scene Technology Workshop I. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650.

1-5. Field Training & Evaluation Process. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$600.

1-5. Traffic Accident Reconstruction II. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$750.

1-12. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. Tallahassee, Fla. \$695.

1-12. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$695.

1-12. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management. St. Petersburg, Fla. \$695.

1-12. Police Motorcycle Operator. Presented by the Northwestern University Traffic Institute. Oklahoma. \$949.

2-4. Solution for Violence in Schools. Pre-

sented by the Criminal Justice Institute. Grayslake, Ill.

3-5. Eastern Armed Robbery Conference. Hosted by the Suffolk County Police Department Robbery Section. Smithtown, N.Y. \$100.

3-6. National Conference on Preventing Crime. Presented by the National Crime Prevention Council. Washington, D.C.

4-5. Conference on Youth, Drugs & Crime. Presented by the Hoover Institution. Stanford University. Stanford, Calif.

4-5. Tracing Illegal Proceeds. Presented by the Investigation Training Institute. Dallas.

4-5. Response to Chemical, Biological & Nuclear Terrorism. Presented by the International Association of Chiefs of Police. Albuquerque, N.M.

5. Grant Writing for Law Enforcement Agencies. Presented by the International Association of Chiefs of Police. Toledo, Ohio.

7-10. The Protectors: A Professional Pistol Defense Program. Presented by the Executive Protection Institute. Berryville, Va. \$995.

8-9. Managing Difficult People & Sensitive Situations. Presented by the Criminal Justice Institute. Grayslake, Ill.

8-9. Value-Centered Leadership: A Workshop on Ethics, Values & Integrity. Presented by the International Association of Chiefs of Police. Dublin, Ohio.

8-9. Less-Lethal Force Options: Concepts & Considerations in the D-Escalation Philosophy. Presented by the International Association of Chiefs of Police. Spokane, Wash.

8-9. Community Policing. Presented by Hutchinson Law Enforcement Training LLC. Las Vegas.

8-10. Advanced Tactical Management for Commanders & Supervisors. Presented by the International Association of Chiefs of Police. Woodway, Texas.

8-11. Ethics Instructor Certification. Presented by the National Institute of Ethics. Sanford, Fla.

8-12. Verbal the Judo — Train the Trainer. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$575.

8-12. Street Gang Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

8-12. Child Abuse Intervention, Referral & Investigation. Presented by the Delinquency Control Institute. Los Angeles.

8-12. Administration & Management of Training. Presented by the Southwestern Law Enforcement Institute. Richardson, Texas. \$495.

8-12. Crime Scene Technology Workshop II. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$750.

8-12. Death Investigation. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$575.

8-12. Specialized Reconstruction of Leaving the Scene. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700.

8-12. Executive & Dignitary Protection. Presented by the International Association of Chiefs of Police. Sugar Land, Texas.

8-19. At-Scene Traffic Accident/Traffic Homicide Investigation. Presented by the Institute of Police Technology & Management. Daytona Beach, Fla. \$695.

8-19. Police Motorcycle Instructor. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$1,100.

9-11. Street Survival 99. Presented by Calibre Press. Minneapolis. \$199.

13-16. 10th Annual International Problem-Oriented Policing Conference. Presented by the Police Executive Research Forum. San Diego.

14-17. Advance Work Program. Presented by the Executive Protection Institute. Berryville, Va. \$1,095.

15-17. What Every New Police Chief Needs to Know. Presented by the International Association of Chiefs of Police. Albany, N.Y.

15-17. Civil Disorder Resolution I: Field Tactics. Presented by the International Association of Chiefs of Police. St. Charles, Mo.

15-17. First Line Supervision. Presented by the International Association of Chiefs of Police. Saipan, Mariana Islands.

15-17. Fraud Investigation Methods. Presented by the Investigation Training Institute. San Francisco.

15-17. Street Survival 99. Presented by Calibre Press. San Francisco. \$199.

15-18. SWAT Supervisors' Tactics & Management. Presented by the International Association of Chiefs of Police. Al-

buquerque, N.M.

15-19. Internal Affairs, Professional Standards & Ethics. Presented by the Southwestern Law Enforcement Institute. Richardson, Texas. \$495.

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15-19. Managing the K-9 Unit. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$595.

15-19. Motorcycle Accident Investigation. Presented by the Institute of Police Technology & Management. San Diego. \$525.

15-19. Homicide Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

15-19. Inspection/Investigation of Commercial Vehicle Accidents. Presented by the Institute of Police Technology & Management. Tempe, Ariz. \$525.

15-19. Advanced Verbal Judo Instructor II. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$575.

15-19. Train-the-Trainer: Report Writing for Law Enforcement Instructors. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

15-19. Crime Scene Technology Workshop III. Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$700.

16-17. Investigative Techniques. Presented by Hutchinson Law Enforcement Training LLC. Peabody, Mass.

16-19. Implementing Community Policing. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

17-19. Risk Management for Law Enforcement Agencies. Presented by the International Association of Chiefs of Police. Colorado Springs, Colo.

18-19. Managing the Internal Affairs Unit. Presented by the International Association of Chiefs of Police. Glendale, Ariz.

18-19. Excellence in the FTO Program. Presented by the International Association of Chiefs of Police. Phoenix.

18-19. Tracing Illegal Proceeds. Presented by the Investigation Training Institute. San Francisco.

18-20. Annual Training Conference of the Law Enforcement Training Managers Association. Alexandria, Va.

22-23. Highway Interdiction. Presented by the International Association of Chiefs of Police. Worcester, Mass.

29-30. Integrity Leadership. Presented by the National Institute of Ethics. Billings, Mont.

29-30. Police Background Investigations & Selection Process. Presented by Hutchinson Law Enforcement Training LLC. Framingham, Mass.

29-Dec. 1. Street Survival 99. Presented by Calibre Press. Las Vegas. \$199.

29-Dec. 3. Cultural Diversity Train-the-Trainer. Presented by the Southwestern Law Enforcement Institute. Richardson, Texas. \$495.

29-Dec. 3. Police Traffic Radar Instructor. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

29-Dec. 3. Fiscal Management for Law Enforcement. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.

29-Dec. 3. Computerized Collision Diagramming. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$795.

29-Dec. 17. Command Training Program. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

29-Dec. 17. Police Motorcycle Training Officer. Presented by the Northwestern University Traffic Institute. Gulfport, Miss. \$1,099.

30-Dec. 1. Narcotic & Drug Investigations. Presented by Hutchinson Law Enforcement Training LLC. New Braintree, Mass.

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Delinquency Control Institute, P.O. Box 77902, Los Angeles, CA 90099-3334. (213) 743-2497. Fax: (213) 743-2313.

Eastern Armed Robbery Conference, c/o Det. Lieut. John J. Horan, Commanding Officer, Suffolk County Police Department Robbery Section, (516) 852-6176. Web: <www.earc.org>.

Executive Protection Institute, Journey's End, P.O. Box 802, Berryville, VA 22611. (540) 955-1128.

Hoover Institution, c/o Joseph D. McNamara, Stanford University, Stanford, CA 94305-6010. (650) 723-1475. E-mail: mcnamara@hoover.stanford.edu

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Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE IACP. Fax: (703) 836-4543. Web: <www.theiacp.org>.

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Law Enforcement Training Managers Association, P.O. Box 830707, Richardson, TX 75083-0707. (214) 670-7448. Web: <www.letma.org>.

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National Institute of Ethics, 1060 W. State Rd. 434, Suite 164, Longwood, FL 32750. (407) 339-0322. Fax: (407) 339-7139. E-mail: Info-nie@magicnet.net. Web: <www.natinstituteethics.com>.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724. Web: <http://www.tiac.net/users/gburke/nelem.html>.

Northwestern University Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011. Web: <www.nwu.edu/traffic>.

Police Executive Research Forum, 1120 Connecticut Ave. N.W., Suite 930, Washington, DC 20036. (202) 466-7820. Fax: (202) 466-7826.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.aimail.ncu.edu/slei.html>.

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Can the FBI's &
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— Diane Cecilia Weber, author of the new report from the Cato Institute,
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